

Florida Gaming Control Commission

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

Meeting Agenda Thursday, February 13, 2025 9:30 AM Betty Easley Conference Center, Room 152 4075 Esplanade Way Tallahassee, Florida 32399-0850

- Discussion of a Mutual Cooperation Agreement for the 2025 calendar year between HISA, HIWU and FGCC
- 2. Discussion of amended application for pari-mutuel operating license
 - 2.1. 2025-005515 Dania Entertainment Center, LLC
- 3. Discussion of default final orders
 - 3.1. 2024-054731 Davidson, St-Phard
 - 3.2. 2024-060176 Castro, Jr., Omar
- 4. Discussion of consent orders
 - 4.1. 2024-015793 Kirby, Stephen Glen
 - 4.2. 2024-028202 South Florida Racing Association, LLC
 - 4.3. 2024-040400 Rochford, Devin
 - 4.4. 2024-061325 Bestbet Orange Park Kennel, Inc.
- 5. Discussion of recommended orders
 - 5.1. 2023-064914 Van Hassel, Christopher A.
 - 5.2. 2024-009404 Newnum, Michael
 - 5.3. 2024-032775 Smith, Christie
 - 5.4. 2024-046235 Wong, Edward Jung
- 6. Discussion of request for waiver
 - 6.1. 2024-062658 Anderson, Garrett T.
 - 6.2. 2024-063690 Chavis, Jessica Leeann
- 7. Discussion of license denials
 - 7.1. 2024-069186 Howard, Shayla Meshon
 - 7.2. 2024-071349 Mitchell, Robert Oneal

- 8. Executive Director update
- 9. Public comment
- 10. Attorney-client session
 - 10.1. 2022-024540 Tampa Bay Downs, Inc.

PERSONS WISHING TO ADDRESS THE COMMISSION ON ANY OF THE AGENDA ITEMS SHOULD EMAIL <u>DIXIE.PARKER@FLGAMING.GOV</u> NO LESS THAN 24 HOURS BEFORE THE START OF THE MEETING 1. Discussion of a Mutual Cooperation Agreement for the 2025 calendar year between HISA, HIWU and FGCC

MUTUAL COOPERATION AGREEMENT

THIS MUTUAL COOPERATION AGREEMENT (the "Agreement") is entered into as of the 1st day of January, 2025 (the "Effective Date"), by and among the Horseracing Integrity and Safety Authority, Inc., a Del- aware non-profit corporation, 401 West Main Street, Unit 222, Lexington, Kentucky 40507 (the "Authority"), the Horseracing Integrity & Welfare Unit, a division of Drug Free Sport, LLC ("Drug Free Sport"), a Delaware limited liability company, 4801 Main Street, Suite 350, Kansas City, Missouri 64112 (the "Agency"), and the Florida Gaming Control Commission, an agency of the Florida State government, 4070 Esplanade Way, Tallahassee, FL 32399 (the "Commission"). As used herein, the "Parties" shall mean the Authority, the Agency, and the Commission, collectively; and a "Party" shall mean the Authority, the Agency or the Commission, individually.

WHEREAS, the Authority is a private, independent, self-regulatory, non-profit corporation recognized by the Horseracing Integrity and Safety Act of 2020, as amended (the "Act") for the purpose of developing and implementing a horseracing anti-doping and medication control program and a racetrack safety program for covered horses, covered persons, and covered horseraces;

WHEREAS, pursuant to 15 USC § 3054(e)(1), the Authority entered into an agreement with Drug Free Sport to create an entity to act as the anti-doping and medication control enforcement agency for the Authority under the Act;

WHEREAS, Drug Free Sport created the Agency to act as the anti-doping and medication control enforcement agency under the Act and to develop and enforce an independent and uniform thoroughbred anti-doping and medication control program ("ADMC Program");

WHEREAS, the Commission is the independent agency of state government vested with jurisdiction to regulate the conduct of horse racing and pari-mutuel wagering on horse racing and related activities within the State of Florida (the "State");

WHEREAS, pursuant to 15 U.S.C. § 3054(e)(2)(A)(i), the Authority may enter into an agreement with a state racing commission for services consistent with the enforcement of the racetrack safety program (the "Racetrack Safety Program");

WHEREAS, pursuant to 15 U.S.C. § 3060, the Authority may to enter into an agreement with a state racing commission to implement, within the jurisdiction of racing commission, a component of the Racetrack Safety Program;

WHEREAS, pursuant to 15 U.S.C. § 3054(e)(2)(A)(ii), the Agency may enter into an agreement with a state racing commission for services consistent with the enforcement of the ADMC Program;

WHEREAS, pursuant to 15 U.S.C. § 3060, the Authority, with the concurrence of the Agency, may enter into an agreement with a state racing commission to implement, within the jurisdiction of racing commission, a component of the ADMC Program;

WHEREAS, the Authority has determined that the Commission is able to implement certain areas of the Racetrack Safety Program in accordance with the rules, standards, and requirements established by the Act and the Authority; and

WHEREAS, the Authority and Agency have determined that the Commission is able to implement certain areas of the ADMC Program in accordance with the rules, standards, and requirements established by the Act, the Authority, and the Agency.

NOW THEREFORE, in consideration of the covenants herein contained and other good and valuable consideration, the sufficiency of which is acknowledged, the Parties agree as follows:

I. <u>Racetrack Safety Program</u>

- Purpose and Definitions. The terms used in Section I., "Racetrack Safety Program," shall mean the same as they are defined in Horseracing and Integrity and Safety Act of 2020, as amended, as codified in 15 U.S.C. §§ 3051-3060, and the Authority's Racetrack Safety ("Safety") Rules, 87 Fed. Reg. 435-459 (Jan. 5, 2022). The Authority and the Commission hereby enter into this Agreement, described in 15 U.S.C. § 3054(e)(2)(A)(i), to delineate the guidelines under which the Parties will cooperate to enforce specified portions of the Racetrack Safety Program.
- 2. <u>Medical Director</u>. The Commission has no obligation, and does not elect, to enter into an agreement with the Authority to establish a Medical Director consistent with Rule 2132.
- 3. <u>Safety Director</u>. The Commission has no obligation to implement the requirements set forth in Safety Rule 2131 because the Racetracks in the State of Florida have assumed this obligation, including the appointment of a Safety Director.
- 4. <u>Stewards</u>. The Commission names and appoints its current stewards as the stewards for the State of Florida under Safety Rule 2133. The Commission reserves the right to hire additional stewards, if needed, who will also serve as stewards for purposes of Safety Rule 2133. Any steward hired by the Commission after the effective date of this Agreement shall have the same authority as those stewards that were named and appointed previously. The Commission will ensure that all stewards meet the requirements of Safety Rule 2133(a)-(c), as well as enforce the safety regulations set forth in Safety Rules 2200 through 2293. The Authority agrees to provide training and guidance to the stewards, at the Authority's expense, on the enforcement of Safety Rules 2200 through 2293. The Authority and that this Agreement will not need to be approved by the Authority and that this Agreement will not need to be approval of the Racetrack Safety Committee, make up a board of three. The enforcement of Safety Rules 2200 through 2293 by the stewards shall constitute action by the Authority.
- 5. <u>Regulatory Veterinarian</u>. The Commission names and appoints Dr. William Watson as the Regulatory Veterinarian for the State of Florida under Safety Rule 2134. The Commission reserves

the right to hire additional veterinarians, if needed, who will also serve as Regulatory Veterinarians for purposes of Safety Rule 2134. Any veterinarian hired by the Commission after the effective date of this Agreement shall be deemed a Regulatory Veterinarian under Safety Rule 2134. The Authority agrees that any veterinarian hired by the Commission after the effective date of this Agreement does not require approval by the Authority and does not necessitate an amendment to this Agreement in that regard. The Commission shall ensure that all Regulatory Veterinarians meet the requirements of Safety Rule 2134(a)(1)-(5), as well as carry out only the specific duties enumerated in Safety Rule 2135(a) (1), (5) and (11). In accordance with Safety Rule 2135(a) (2)-(4), and (6)-(10).

- 6. <u>Emergency Warning Systems.</u> Once the Authority, or the Racetrack Safety and Welfare Committee, approves a Racetrack's emergency warning system, as described in Safety Rule 2153(d), the Commission agrees to use its best efforts to ensure that the Racetrack maintains the approved emergency warning system. Furthermore, the Commission agrees to use its best efforts to ensure that the Racetrack tests its approved emergency warning system as described in Safety Rule 2153(d)(2). The Commission shall provide periodic reports concerning a Racetrack's maintenance and testing of its approved emergency warning system as directed by and on forms prescribed by the Authority.
- 7. <u>Training Opportunities</u>. The Commission agrees to provide reasonable notice of training opportunities made available by the Authority or industry organizations to all Florida licensed Racetrack employees who have roles in racetrack safety or direct contact with Covered Horses.
- 8. <u>Jockey Drug and Alcohol Testing.</u> Once the Authority, or the Racetrack Safety Committee, approves a Racetrack's jockey drug and alcohol testing program ("testing program"), as described in Safety Rule 2191, the Commission shall use its best efforts to ensure that the Racetrack abides by the terms of the approved testing program. The Commission shall provide periodic reports concerning Racetrack's compliance with the testing program as directed by and on forms prescribed by the Authority.
- 9. Confidentiality. The Commission agrees that the content of any notices or communications with the Authority pursuant to the Rule Series 2000 (Racetrack Safety Program) or Rule Series 8000 (Enforcement Rules) (the "Confidential Information") shall not be publicly disclosed by the Commission or its officers, directors, employees, or agents unless and until (a) that information has been publicly disclosed by the Authority pursuant to the requirements of the Act, or (b) the Authority has given written consent for the information to be disclosed. In addition, the Commission agrees not to disclose the Confidential Information to any person other than to such of its officers, directors, employees, or agents who have a need to know and who agree to be bound by the confidentiality provisions hereof. The Commission agrees, or agents, in that the Commission shall take prompt action to correct the non-compliant conduct or prevent any future non-compliance.

Upon receipt of any request for the disclosure of documents relating to the Rule Series 2000

(Racetrack Safety Program) or Rule Series 8000 (Enforcement Rules), the Commission agrees to provide the Authority and/or the Agency with appropriate notification and opportunity to challenge the disclosure of such records.

- 10. Racetrack Safety Program Scope of Work. The scope of work and reporting obligations for the Racetrack Safety Program under this Agreement are set forth in training provided by the Authority regarding the Safety Rule 2000 Series and any additional policies and procedures implemented by the Authority which are consistent with the Act and any regulations approved by the Federal Trade Commission pursuant to the Act ("HISA Policies"). Copies of HISA Policies shall be communicated to the Commission in a manner that allows for timely implementation by the Commission in accordance with the provisions of Paragraph I.12 below, which may involve regulatory changes that are subject to review by appropriate administrative or legislative bodies. The Commission and the Authority shall work together to achieve an agreement on the Commission's role in implementing and administering any and all Authority policies that are not promulgated as regulations approved by the Federal Trade Commission. The Commission agrees to provide performance metrics in reasonable detail, upon request by the Authority, and on forms prescribed by the Authority. The Parties agree to meet and confer on a regular basis, and at least quarterly, to discuss and collaborate on the effective and efficient implementation and administration of the Racetrack Safety Program and the duties and responsibilities set forth in this Section.
- 11. <u>Indemnification</u>. The Authority expressly agrees to indemnify and hold harmless the Commission and its agents or employees from and against any and all claims, loss, damages, injury, liability and costs, including but not limited to reasonable attorneys' fees and court costs, resulting from, arising out of, or in any way connected with the Racetrack Safety Program Scope of Work as defined in this Agreement, except to the extent that such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by, or result from, the willful misconduct of the Commission or its employees or agents. Any enforcement actions related to the Racetrack Safety Program Scope of Work shall be the responsibility of and shall be defended by the Authority. Any appeals or challenges to actions taken by Commission agents or employees when enforcing the Act or federal rules or regulations promulgated pursuant to the Act shall proceed pursuant to the enforcement rules promulgated pursuant to the Act and shall be defended by the Authority. Notwithstanding anything set forth in this Agreement to the contrary, this Agreement shall not be construed to waive any immunity under applicable state law, including, but not limited to, sovereign or qualified immunity, possessed by the Commission and its agents or employees.
- 12. <u>Authority Protocols Policies, Procedures, and Forms</u>. The Authority shall provide the Commission with a copy of all existing amended and new training materials, policies, procedures, and forms. These documents shall be provided to the Commission's Executive Director Ross Marshman, or his successor, with copies to Director of Pari-Mutuel Wagering Joe Dillmore, by email within 72 hours of implementation. The Commission shall be afforded a reasonable time to implement any such changes once notice of a new policy, protocol, or procedure is provided to the Commission by the Authority.

13. <u>Reimbursement for Investigations</u>. The Authority agrees to reimburse the Commission for any actual costs or expenses incurred in connection with any Authority investigation conducted in the State pursuant to the Racetrack Safety portion of this Agreement, which were incurred over and above typical duties that would have been performed in the course of their Commission employment. This reimbursement is contemplated for at least the following potential costs: the cost of using Commission employees as investigators or as witnesses at a hearing or trial (including wit- ness preparation and testimony), as well as the travel, and other resources utilized or expensed in performing these tasks. The Commission agrees to invoice the Authority quarterly for such costs and expenses. The Authority agrees to fully pay such invoices within 30 days.

II. ADMC Program

- Purpose and Definitions. The terms used in Section II., "ADMC Program," shall mean the same as they are defined in Horseracing and Integrity and Safety Act of 2020 (as amended), as codified in 15 U.S.C. §§ 3051-3060, and the Authority's Anti-Doping and Medication Control (ADMC) Rules, 88 Fed. Reg. 5070-5201 (Jan. 26, 2023), which were approved by the Federal Trade Commission on March 27, 2023. The Agency and the Commission hereby enter into this Agreement, described in 15 U.S.C. § 3054(e)(2)(A)(ii), to delineate the guidelines under which the Parties will cooperate to enforce specified portions of the ADMC Program.
- 2. Agency-Authorized Collection Personnel.
 - (a) The Commission agrees that its personnel currently collecting post-race samples for Covered Horses in the State of Florida, including, but not limited to, its employees and/or contractors, will collect certain samples in the State of Florida (the "Agency Samples") for, and under the authority of, the Agency in accordance with ADMC Rule Series 3000, ("Equine Anti-Doping and Controlled Medication Protocol"), ADMC Rules 3131–3140 (collectively referred to as "Testing and Investigations"), and ADMC Rule Series 5000, ("Equine Testing and Investigation Standards") (such personnel are hereinafter referred to as the "Agency-Authorized Collection Personnel.") The term "Agency Sample" includes Post-Race Samples collected from Covered Horses on Race Day and may include Samples collected from claimed horses, provided that such Sample collection is part of the ordinary Post-Race Sample collection on Race Day. The term "Agency Sample" does not include TCO2 Samples, Post-Work Samples, Out-of-Competition Samples, or Samples collected from a claimed horse at the request of the claimant pursuant to ADMC Rule 3060, unless such Samples are collected as part of the ordinary Post-Race Sample collection on Race Day.
 - (b) The Commission understands that Agency-Authorized Collection Personnel shall acquire and maintain certification from the Agency, as required by the ADMC Rules, in order to be permitted to conduct collections of Agency Samples. To ensure that Agency-Authorized Collection Personnel timely acquire and maintain Agency certification, the Agency agrees to provide training opportunities for Commission personnel no later than ten (10) business days of the date of hire or date of recertification, unless the Parties mutually agree to a later date, of Agency-Authorized Collection Personnel. Pursuant to ADMC Rule 5450, the Agency will

authorize these Agency-Authorized Collection Personnel to conduct sample collections for the ADMC Program.

- (c) As directed in training provided by the Agency, the Commission agrees to provide information relating to the compliance of its Agency-Authorized Collection Personnel with the ADMC Rule Series 3000, "Equine Anti-Doping and Controlled Medication Protocol," ADMC Rule Series 5000, "Equine Testing and Investigation Standards," and any additional policies and procedures implemented by the Agency which are consistent with the Act and the ADMC Rules (the "HIWU Policies") upon request by the Agency and on forms to be specified by the Agency.
- 3. <u>Background Checks</u>. The Commission agrees to provide the Agency with: (a) a certification or affidavit that all Agency-Authorized Collection Personnel (i) have satisfactorily completed a Level I background check no earlier than one (1) year prior to the individual's initial HIWU certification date, and (ii) are in good standing with the relevant racetrack(s) at which they will collect samples; and (b) a complete conflict of interest statement completed by each Agency-Authorized Collection Personnel in a form specified by the Agency. The Commission understands that the requirements of subsections (a) and (b) above are conditions of certification and recertification of Agency-Authorized Collection Personnel by the Agency. Agency certification of Collection Personnel is valid for two (2) years from the individual's certification or recertification date. After two (2) years, recertification must occur prior to the next race meet at which the individual will collect Samples on behalf of the Agency.

The Commission agrees to notify the Agency as soon as reasonably practicable upon the addition of any new employee or contractor that will require authorization and certification from the Agency to serve as Agency Authorized Collection Personnel, or if any individual's employment or contract with the Commission is terminated or not renewed such that their certification or authorization should be revoked by the Agency. Notifications regarding Commission employees/contractors under this Paragraph II.3 must be made to the Agency through the Agency's Learning Management System and Sample Collection Personnel Management System (when such systems are made available by the Agency) as soon as reasonably practicable.

- 4. <u>Testing Liaison</u>.
 - (a) The Commission names and appoints Glenda Ricks, the Chief of Operations for the Commission, Division of Pari-Mutuel Wagering, as the HIWU Testing Liaison of the State (the "HIWU Testing Liaison"). The Agency and the Commission agree that the HIWU Testing Liaison shall be the point-of-contact with the Agency for: (a) the scheduling of the collection of Agency Samples by Agency-Authorized Collection Personnel; (b) any problems or issues that arise during collections of Agency Samples by Agency-Authorized Collection Personnel; and (c) the delivery of any notice required under ADMC Rule Series 3000, ("Equine Anti-Doping and Controlled Medication Protocol") to individuals present at Racetracks or Training Facilities in the State. The Commission shall provide the Agency with the HIWU Testing Liaison's contact information and shall promptly inform the Agency when that

information changes. Additionally, the HIWU Testing Liaison and/or her designated representative, e.g. test barn supervisor, is responsible for the use and input of information into the HIWU Learning Management System (when such system is made available by the Agency) for purposes of accurate record keeping of active/certified Agency-Authorized Collection Personnel, initiating the certification process for potential Agency-Authorized Collection Personnel, and distributing to and ensuring Agency-Authorized Collection Personnel have received and completed all required training content and/or assessments. Any person named to replace the individual named as HIWU Testing Liaison shall be confirmed in written notice to the Agency.

- (b) The Testing Liaison or her designated representative shall (i) manage supply and equipment inventory by conducting periodic inventory counts of specified Sample Collection Equipment to ensure accurate tracking and management of inventory levels; (ii) accurately input the results of inventory counts into a designated online inventory management system in a timely manner; and (iii) monitor inventory levels and, in the event that inventory of Sample Collection Equipment levels fall below the established minimum threshold, initiate an online order to replenish such supplies. The Testing Liaison (or their designated representative) will adhere to the inventory thresholds and protocols for re-ordering, as defined by the Agency. The Testing Liaison shall be responsible for maintaining the inventory within these guidelines and ensuring that orders are placed promptly to prevent shortages.
- 5. Direction and Control of Agency-Authorized Collection Personnel. The Commission agrees that Agency-Authorized Collection Personnel will perform the Agency Sample collections in accordance with the Agency's policies, procedures and instructions. With the exception of scheduling Agency-Authorized Collection Personnel and monitoring Agency-Authorized Collection Personnel when they are carrying out responsibilities in accordance with the ADMC Program, the Commission agrees that it will not, in any way, be involved in the collection of Agency Samples, including, but not limited to, instructing or directing such Agency-Authorized Collection Personnel on the Covered Horses that should be selected for testing at a given Covered Horserace unless authorized by the Agency to do so provided such instructions or directions comply with Commission human resources policies or the State of Florida labor laws. The Commission agrees that only Agency-Authorized Collection Personnel will be involved in the collection of Agency Samples, including giving directions and instructions to other Agency-Authorized Collection Personnel with respect to how to conduct any portion of an Agency Sample collection.
- 6. <u>Limitation on Testing</u>. The Commission understands that under the Act, no testing of Covered Horses under the ADMC Program will occur in the State, unless it is at the direction of the Agency or has been authorized in advance and in writing by the Agency.
- 7. <u>State Investigative Personnel</u>. The Commission agrees that Commission personnel currently conducting investigations in the State of Florida, including, but not limited to, its employees and/or contractors will conduct investigations in the State for, and at the direction of, the Agency ("Agency Investigations") pursuant to ADMC Rule Series 3000, ("Equine Anti-Doping and Controlled Medication Protocol"), ADMC Rules 3131-3140 ("Testing and Investigations"), and

Rule Series 5000, ("Equine Testing and Investigation Standards"), including the regulations under Rule ADMC 5700 ("Standards for Investigations") (such Commission personnel are hereinafter referred to as the "State Investigative Personnel.") After training by the Agency, State Investigative Personnel will be authorized by the Agency to conduct investigations for, and at the direction of, the Agency and as such, shall be deemed designees under Rule 8400 ("Investigatory Powers.")

- 8. <u>Investigations Liaison</u>. The Commission names and appoints Brad Jones, Chief of Investigations for the Commission as Investigations Liaison of the State (the "Investigations Liaison"). The Agency and the Commission agree that the Investigations Liaison shall be the point-of-contact with the Agency for the scheduling of any investigatory work requested by the Agency pursuant to Paragraph I.7 above. In connection with Agency Investigations, the Investigatory Powers"). The Commission shall provide the Agency with the Investigation Liaison's contact information and shall promptly inform the Agency when that information changes. Any person named to replace the individual named as Investigations Liaison shall be confirmed in written notice to the Agency.
- 9. Direction and Control of State Investigative Personnel. The Commission agrees that State Investigative Personnel will perform investigative work requested by the Agency in accordance with the Agency's policies, procedures, and instructions in order to meet agreed upon target dates. The Commission agrees that it will not be, in any way, involved in decision-making in connection with these Agency Investigations, including, but not limited to, instructing or directing the State Investigative Personnel on which Covered Persons and/or Covered Horses should be investigated regarding potential violations that fall under the jurisdiction of the Agency. Likewise, the Agency agrees that is will not, in any way, be involved in decision-making in connection with investigations of any matter that falls outside of the Agency's jurisdiction. While investigating violations of the ADMC Rules, the Commission and Agency both agree to work collaboratively to increase the likelihood that investigations result in successful prosecutions. The Commission will not limit or instruct State Investigative Personnel regarding when or where to conduct an Agency Investigation provided such instructions or directions comply with Commission human resources policies or the State of Florida labor laws. Likewise, the Agency will not limit or obstruct State Investigative Personnel in connection with investigations of any matter that falls outside of the Agency's jurisdiction. Nothing in this Paragraph is intended to abrogate the Commission's authority to investigate any matter that falls under the Commission's jurisdiction or outside the jurisdiction of the Agency. Notwithstanding anything the contrary in this Paragraph II.9, State Investigative Personnel may initiate investigations/searches under the ADMC Program and in accordance with this Agreement and the Agency's policies and procedures when the subject matter of the potential investigation/search (i) clearly falls under the ADMC Program, and (ii) requires urgent or immediate action. If State Investigative Personnel initiate such an investigation, the Commission must notify the Agency of any investigative action taken as soon as practicable, and no later than the end of the same business day.
- 10. <u>Access to Racetracks</u>. The Commission agrees that any individual who presents a credential or letter of authorization issued by the Agency shall be permitted access to any portion of any participating Racetrack that the Commission controls access to in the State at which Covered

Horses compete, and such access shall include all areas of the Racetracks, including, but not limited to, the backside. This access does not extend to areas adjacent to Racetracks that do not involve any activities connected to Covered Horses, including, but not limited to, slot machine gaming areas and/or cardrooms. Upon request by the Commission, the Agency agrees to provide to the Commission an example credential or letter of authorization to facilitate enforcement of this Paragraph. The Agency agrees that all individuals will prominently display their credentials or promptly display their letter of authorization upon request while on Racetrack grounds. Any changes to such credential or letter of authorization shall be communicated by the Agency to the Commission.

- 11. <u>Regulatory Veterinarian</u>. The Commission names and appoints its current veterinarian as the Regulatory Veterinarian for the State of Florida. The Commission reserves the right to hire additional veterinarians, if needed, who will also serve as Regulatory Veterinarians for purposes of the ADMC Program. Any veterinarian hired by the Commission after the effective date of this Agreement shall be deemed a Regulatory Veterinarian, and the Commission will notify the Agency of the hiring of such individual within ten (10) business days of his or her start date with the Commission The Parties agree that the Regulatory Veterinarians shall carry out the duties and responsibilities of the Regulatory Veterinarians set forth in the ADMC Program as directed in training provided by the Agency, including, but not limited to, the duties and responsibilities set forth in ADMC Rule Series 3000 ("Equine Anti-Doping and Controlled Medication Protocol") and ADMC Rule Series 5000 ("Equine Testing and Investigation Standards"), provided that such duties are directly related to the Post-Race sample collection process described above in Paragraph II.2.a above. Any person named to replace a Regulatory Veterinarian herein shall possess the qualifications set forth in Safety Rule 2134(a), and such replacement requires the prior written approval of the Agency. This paragraph is not designed to limit any Racetrack's efforts as described below in Paragraph III.1 below.
- 12. <u>Sample Testing</u>. The Commission agrees that Agency Samples will be sent to, and analyzed by, a Laboratory selected by the Agency for the 2025 calendar year. The Commission also understands that the Agency has the authority to direct further analysis on all Agency Samples at its discretion.
- 13. <u>Training Opportunities</u>. The Commission and the Agency agree to cooperate in organizing local training opportunities for all Agency-Authorized Collection Personnel and State Investigations Personnel. The Commission further agrees that the Agency may request and review information pertaining to the training opportunities available to Agency-Authorized Collection Personnel and State Investigations Personnel.
- 14. <u>Arbitration Procedures</u>. The Commission understands that, under the Act, any anti-doping rule or controlled medication rule violations alleged to have occurred in the State will be processed pursuant to ADMC Rule Series 7000, "Arbitration Procedures," and that, under these regulations, alleged anti-doping rule violations will be heard by the Arbitral Body and alleged controlled medication rule violations will be heard by the Internal Adjudication Panel. The Commission agrees that its employees, consultants and other agents (including, but not limited to, Agency-Authorized Collection Personnel and State Investigative Personnel) will cooperate with any

process or proceeding conducted pursuant to the Arbitration Procedures, including, but not limited to, providing documents and testimony in connection with the case or matter.

- 15. <u>ADMC Program Scope of Work</u>. The scope of work and reporting obligations for the ADMC Program ("State Requirements") under this Agreement are those set forth in the ADMC Rule Series 3000, ("Equine Anti- Doping and Controlled Medication Protocol"), ADMC Rule Series 5000, ("Equine Testing and Investigation Standards"), and any HIWU Policies. Copies of HIWU Policies shall be communicated to the Commission in a manner that allows for timely implementation by the Commission in accordance with the provisions of Paragraph II.20 below. State Requirements are set forth in Exhibit A to this Agreement.
- 16. Information Sharing.

The Commission agrees that it will provide the Agency, on a timely basis, with any information, documentation, or evidence that it receives or discovers relating to possible violations of the ADMC Program. The Agency agrees that it will provide the Commission, on a timely basis, with any information, documentation, or evidence that it receives or discovers relating to possible violations of the State's laws, regulations, or rules, which are not preempted by the Act. In addition to any notifications required by the Act to be made by the Agency to the Commission, the Agency will make its best efforts to notify the Commission of negative tests from Agency Samples that are A Samples for a specific Race Day within 3 business days of the Agency's receipt of those results from a laboratory accredited by the Agency. This notification will be made by email to the individual(s) named in Exhibit B. or his or her respective successor(s). This notification shall not be made for a specific Race Day until all of the results for that day have been received by the Agency. Exhibit B sets out the contact information and names of Commission staff that shall receive the specific notices/notifications set forth in this Agreement. Exhibit B may be amended by the Parties at any time upon written mutual agreement (e-mail acceptable). All individuals named within Exhibit B are subject to the confidentiality provisions set forth in this Agreement.

- 17. Confidentiality.
 - (a) The Commission agrees that the content of any notices, including Equine Anti-Doping ("EAD") Notices under ADMC Rule 3245 and Equine Controlled Medication ("ECM") Notices under ADMC Rule 3345, received by it from the Agency pursuant to the ADMC Rule Series 3000, "Equine Anti-Doping and Controlled Medication Protocol," (the "Confidential Information") shall not be publicly disclosed by the Commission or its officers, directors, employees, or agents unless and until (a) that information has been publicly disclosed by the Agency pursuant to the requirements of the Act, or (b) the Agency has given written consent for the information to be disclosed. In addition, the Commission agrees not to disclose the Confidential Information to any person other than to such of its officers, directors, employees, or agents who have a need to know and who agree to be bound by the confidentiality provisions hereof. The Commission agrees that it shall be responsible for any knowing and intentional breach of this Agreement by its officers, directors, employees, or agents. The Agency agrees that any such notices shall bear a watermark or other marking

agreed upon by the Parties clearly denoting the confidential nature of the document.

- (b) Upon receipt of any request for the disclosure of documents relating to the ADMC Program, the Commission agrees to provide the Authority and/or the Agency with appropriate notification and opportunity to challenge the disclosure of such records. Any challenge to the Commission's withholding of confidential information shall be indemnified and defended by the Authority as described below in Paragraph II.19 below.
- (c) By agreeing to the provisions of this Paragraph II.17, the Commission will be considered an Interested Party under the ADMC Rules and be eligible to receive information as set forth in the ADMC Rules.
- 18. Performance of Agency-Authorized Collection Personnel or State Investigative Personnel. If at any time during the term of this Agreement, the Agency, with good cause, believes that any individual Agency-Authorized Collection Personnel or State Investigative Personnel is not satisfying the requirements set forth in this Agreement, it shall notify the Commission of the reasons for its good faith basis in writing, with specificity and particularity. The Commission agrees to take any necessary action to promptly correct the non-compliant conduct or prevent any future non-compliance to the satisfaction of the Agency. If the individual at issue continues to be noncompliant, or if the initial conduct was so egregious as to warrant removal (as determined by the Agency in its reasonable discretion), then the Agency may revoke the individual's certification and, if such revocation occurs, the Commission will not assign said individual to perform further services under this Agreement. Any action by the Agency under this Paragraph shall in no way affect the employment status of any individual. The Agency acknowledges that Agency-Authorized Collection Personnel and State Investigative Personnel are not employees of the Agency.
- 19. Indemnification. The Authority expressly agrees to indemnify and hold harmless the Commission and its employees or agents from and against any and all claims, loss, damages, injury, liability and costs, including, but not limited to, challenge to the Commission's withholding of confidential information as described in Paragraph II.17.b above, reasonable attorneys' fees and court costs, resulting from, or arising out of, defending against requests for confidential information as described in Paragraph II.17.b above the ADMC Program Scope of Work as defined in Paragraph II.15 above, except to the extent that such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by, or result from, the breach of this Agreement by, or the negligence, willful misconduct, or intentional acts or omissions of, the Commission or its employees or agents. Any enforcement actions related to the ADMC Program Scope of Work will be the responsibility of, and will be defended by, the Authority and the Agency. Any appeals or challenges to actions taken by Commission employees or agents when enforcing the Act or federal rules or regulations promulgated pursuant to the Act will proceed pursuant to the enforcement rules of the Act and will be defended by the Authority and the Agency. Notwithstanding anything set forth in this Agreement to the contrary, this Agreement shall not be construed to waive any immunity under applicable state law, including, but not limited to, sovereign immunity, possessed by the Commission and its agents, contractors, or employees.

- 20. <u>HIWU Regulations, Policies, Procedures, and Forms</u>. The Agency shall provide the Commission with a copy of all existing, amended, and new training materials, policies, procedures, and forms. This notification shall be provided to the Commission's Executive Director Ross Marshman, or his successor, with copies to Director of Pari-Mutuel Wagering Joe Dillmore, by email within 24 hours of implementation. The Commission shall be afforded a reasonable time to implement any such changes once notice of a new policy, protocol, or procedure is provided to the Commission by the Agency.
- 21. <u>Reimbursement for Investigations</u>. The Agency agrees to reimburse the Commission for any actual costs or expenses incurred in connection with any Agency Investigation in the State conducted pursuant to Paragraphs II. 7-10 and 15 above. This reimbursement is contemplated for at least the following potential costs: the cost of using Commission employees for investigations or as witnesses at a hearing or trial (including witness preparation and testimony), meetings, and the cost of travel and other expenses necessarily incurred in service of this Agreement. The Commission agrees to invoice the Agency quarterly for such costs and expenses. The Agency agrees to fully pay such invoices within thirty (30) days of receipt by the Agency.

III. <u>Testing Credit</u>

1. <u>2025 Credit</u>. The Commission will receive a credit to its 2025 assessment which was sent to the Commission by the Authority on October 31, 2024. The credit will be applied to the amount paid to the Authority for that calendar year in connection with the funding required to be paid to the Authority under the Act (the "State Testing Credit"). The State Testing Credit is an estimated amount for costs, including the costs of Agency-Authorized Collection Personnel required for Race Day testing, including Post-Race, as well as additional testing of all Claimed Horses as described in this Agreement. These estimated costs include travel, per diem, and other direct and additional costs associated with the collections conducted by Agency-Authorized Personnel as described in this Agreement. The Parties agree that, for the 2025 calendar year, the Commission will generate a portion of the overall State Testing Credit in the amount of \$1,154,295¹. If the costs of Agency-Authorized Collection Personnel required for Race as well as additional testing of all Claimed Horses as described in this Agreement. The Parties agree that, for Race Day testing, including Post-Race as well as additional testing of all Claimed Horses as described in the amount of \$1,154,295¹. If the costs of Agency-Authorized Collection Personnel required for Race Day testing, including Post-Race as well as additional testing of all Claimed Horses as described in this Agreement exceed \$1,154,295 at the end of 2025, the Commission will generate an additional credit for 2026 in the amount of the excess costs.

Notwithstanding anything to the contrary herein, the testing credits are calculated based on the current projections for the number of 2025 Race Days in Florida and the HIWU Testing Distribution Plan, and is subject to adjustment based on the actual number of Race Days and the Commission's compliance with the Agreement and HIWU's Testing Distribution Plan.

2. <u>Future Application of State Testing Credit</u>. In each subsequent year of this Agreement, the Agency will provide the State with the annual State Testing Credit by the November 1 of the previous year

¹ Provided Racetracks conduct certain testing as described in the Florida HISA 2025 Financial Assessment, dated October 31, 2024 (on file with the Commission), the potential State Testing Credit is \$1,657,295.

(e.g., November 1, 2025 for 2026).

3. <u>Notification of Racing Dates</u>. The Commission agrees that, by October 1 of each calendar year, it shall provide the Agency with a list of the Covered Horserace days to be held in Florida through June 30 of the subsequent calendar year, including dates, locations, and number of races each day. Upon issuing the pari-mutuel operating license on March 15 of each calendar year, the Commission will notify the Agency of the remaining Covered Horserace days from July 1 to December 31 of each calendar year. The Commission also agrees to provide the Agency with prompt notice of any changes to Covered Horserace days.

IV. General Provisions

- 1. <u>Term and Termination</u>. This Agreement shall be effective on the Effective Date. The Parties acknowledge that the Federal Trade Commission has approved the regulations comprising the Racetrack Safety Program and the ADMC Program. If, after the effective date of this Agreement, any portion of the Racetrack Safety Program or the ADMC Program is legally invalidated by a court of competent jurisdiction, the Commission will no longer have an obligation to carry out any duties specified in this Agreement related to the invalidated portion of either program. If the Horseracing Integrity and Safety Act is found to be unconstitutional or void and unenforceable for any reason by a court with competent jurisdiction over Florida, this Agreement shall terminate and be of no force or effect. This Agreement will terminate on December 31, 2025, unless the Parties agree in writing to extend the term of the Agreement (e-mail acceptable). This Agreement may be terminated by any Party upon one hundred and twenty (120) days written notice.
 - (a) This Agreement may be terminated by the Agency upon sixty (60) days written notice if the Agency has determined, in good faith, that the Commission, Agency-Authorized Collection Personnel, or State Investigative Personnel have failed to substantially comply with the requirements of ADMC Rule Series 3000, ("Equine Anti-Doping and Controlled Medication Protocol,") ADMC Rule Series 5000, ("Equine Testing and Investigation Standards") or any HIWU Policy. Any written notice provided pursuant to this subparagraph shall include the basis for the Agency's determination.
 - (b) If any Party defaults in a material obligation under this Agreement and continues in default for a period of thirty (30) days after written notice of default is given to it by another Party, the other Party may terminate and cancel this Agreement, immediately upon written notice of termination given to the defaulting Party. The written notice of default shall include specific actions or omissions that comprise the defaulting Party's breach of its obligations under this Agreement.
 - (c) If this Agreement is terminated pursuant to this Paragraph IV.1: (i) any State Testing Credit provided to the Commission pursuant to Paragraph III. above will be reduced on a pro-rata basis; (ii) the certification of all Agency-Authorized Collection Personnel will be revoked by the Agency; and (iii) the Agency will, pursuant to the Act, take direct control of all anti-doping and controlled medication testing and investigative operations in the State with respect to Covered Horses.

- (d) In addition to any right of termination granted to the Agency pursuant to this Agreement, the Agency may request that the Authority reduce the Commission's State Testing Credit, on a pro-rata basis, for any period of time that the Agency determines that the Commission has not complied with its material obligations under this Agreement. The Agency will provide the Authority and the Commission written notice of the request, which will include the basis for the Agency's determination and the period covered by the request. The Commission shall have the opportunity to respond in writing to such a request within thirty (30) days and will provide the Agency with a copy of the response. The Authority will make a decision on the request within thirty (30) days of receiving the Agency's request or Commission's response, whichever is latest.
- 2. <u>Notices</u>. All notices required to be provided hereunder shall be in writing and shall be deemed delivered if: (a) sent by facsimile, upon confirmation of faxing; (b) if sent by overnight courier, by the date after mailing; (c) if by hand delivery, upon actual receipt; or (d) if by certified mail, return receipt requested and postage prepaid, on the third business day after deposit in the mails, to the addressee set forth below (with a copy emailed to the email addresses set forth below) or at such other location as such Party notifies the other pursuant to this provision.

If to the Authority: 401 West Main Street, Unit 222 Lexington, KY 40507 Attention: Lisa Lazarus Executive Director	If to the Agency: 4801 Main Street, Suite 350 Kansas City, MO 64112 Attention: Ben Mosier Executive Director	If to the Commission: 4070 Esplanade Way, Suite 250 Tallahassee, FL 32399 Attention: Ross Marshman
lisa.lazarus@hisaus.org	bmosier@hiwu.org	Executive Director
		Ross.marshman@fgcc.fl.gov
with a copy to:	with a copy to:	
Ransdell Roach & Royse PLLC	Michelle Pujals,	with a copy to:
176 Pasadena Drive	HIWU General Counsel mpu-	Elina Valentine
Building One	jals@hiwu.org	FGCC General Counsel
Lexington, Kentucky 40502 At-		Elina.valentine@flgaming.gov
tention: John C. Roach		
john@rrrfirm.com		

- 3. <u>Severability</u>. If any part of this Agreement is determined to be invalid or illegal by any court or agency of competent jurisdiction, then that part shall be limited or curtailed to the extent necessary to make such provision valid, and all other remaining terms of this Agreement shall remain in full force and effect.
- 4. <u>Final Agency Action</u>. The Parties agree and acknowledge that the Commission does not have the jurisdiction or authority to, and will not take, any final agency action regarding the enforcement of any rules or regulations under the Racetrack Safety Program or the ADMC Program that fall under the jurisdiction and authority of HISA and/or HIWU.
- 5. <u>Entire Agreement</u>. This Agreement constitutes the entire agreement among the Parties and supersedes all prior and contemporaneous agreements and understandings, whether written or oral,

among the Parties with respect to the subject matter hereof.

- 6. <u>Amendment and Waiver</u>. This Agreement may be modified or amended only in a writing signed by all Parties. A Party's failure to act hereunder shall not indicate a waiver of its rights hereto. No waiver of any provision of this Agreement shall be valid unless made in writing and signed by the waiving Party. The failure of any Party to require the performance of any term or obligation of this Agreement or the waiver by any Party of any breach of this Agreement shall not prevent any subsequent enforcement of such term and shall not be deemed a waiver of any subsequent breach.
- 7. <u>Governing Law</u>. This Agreement shall be governed by, and construed and interpreted in accordance with, the laws of the state of Florida, without regard to its conflicts of laws principles.
- 8. <u>Assignability</u>. The Agency may assign this Agreement to an affiliate, a successor in connection with a merger, acquisition, or consolidation, or to the purchaser in connection with the sale of all or substantially all of its assets without notice to the Commission. This Agreement and all the terms and provisions hereof will be binding upon, enforceable against, and will inure to the benefit of, the Parties hereto and their respective successors and assigns.
- 9. <u>Counterparts</u>. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one instrument. Any signature page delivered by facsimile, telecopy machine, portable document format (.pdf) or email shall be binding to the same extent as an original.
- 10. <u>Headings</u>; <u>Interpretation</u>. The headings in this Agreement have been included solely for ease of reference and shall not be considered in the interpretation or construction of this Agreement. All references herein to the masculine, neuter or singular shall be construed to include the masculine, feminine, neuter or plural, as appropriate.

IN WITNESS WHEREOF, the undersigned have executed this Mutual Cooperation Agreement as of date first written above.

HORSERACING INTEGRITY AND SAFETY AUTHORITY, INC.

By: _____

Name: Lisa Lazarus Title: Chief Executive Officer

HORSERACING INTEGRITY & WELFARE UNIT, A DIVISION OF DRUG FREE SPORT, LLC

By: _____

Name:Ben MosierTitle:Executive Director

FLORIDA GAMING CONTROL COMMISSION

Ву: _____

Name: Ross Marshman

Title: Executive Director

EXHIBIT A

STATE REQUIREMENTS

The State Requirements set forth below are requirements for testing, personnel, and investigations, if applicable. More specific requirements and/or details will be set forth in the HIWU Policies.

Post-Race Testing

- Post-Race testing is planned by the Agency for <u>all</u> Covered Horseraces.
 - A sufficient number of Agency-Authorized Collection Personnel must be provided by the Commission to complete all Agency issued Post-Race testing missions.
- Post-Race testing missions include, but are not limited to, Post-Race collection of blood and urine Samples from each Covered Horse selected for testing, and the collection of hair Samples when necessary.
- The Agency's selection criteria for Post-Race testing will include: winners, specials, and/or claimed horses, except those from a claimed horse at the request of the claimant pursuant to ADMC Rule 3060
- Agency Authorized Collection Personnel are responsible for (1) tagging all Covered Horses selected for Post-Race testing, and (2) notifying the relevant Nominated or Responsible Person. Tagging and notification responsibilities may be completed another individual at the track (i.e. a track or Commission designated employee such as the chief of scales, an outrider, or someone who already has responsibilities at the winner's circle or finish line) as long as such person has been approved and trained by the Agency.
- Post-Race testing shall be conducted in the designated Test Barn at the relevant Racetrack. The Racetrack, the Commission, and Agency-Authorized Collection Personnel must jointly ensure that the Test Barn is maintained in accordance with the ADMC Rules and Agency's Policies and Procedures.

Personnel Requirements Specific To Post-Race Testing

- 1 designated Test Barn Veterinarian
- Must be an Agency Authorized Blood Collection Officer (i.e. a Veterinarian or Vet Tech, if allowed by the state). The Test Barn Veterinarian is designated to the Test Barn for the entirety of Post-Race testing, and may serve as both the Test Barn Veterinarian and the Test Barn Supervisor.
- 1 designated Test Barn Supervisor
- Must be an Agency-Authorized Blood Collection Officer (i.e. a Veterinarian or Vet Tech, if allowed by the state). The Test Barn Supervisor shall carry out the responsibilities of the Test Barn Supervisor as established in the Agency's Policies and Procedures.
- 4 (at a minimum) Agency-Authorized Collection Personnel or Collection Assistants (i.e. Test Barn Workers). Agency-Authorized Collection Personnel are responsible for urine collection and sample processing, monitoring of the Test Barn, stall cleaning, and any other duties set forth in the Agency's Policies and Procedures.

- 1 designated Test Barn Security Guard
- The Test Barn Security Guard may be provided by the Commission or the track

General Requirements

- Coordination of shipping of Agency Samples to selected laboratories
- State Investigative Personnel for service of notices and accompanying searches
- State Investigative Personnel for other tasks as requested by the Agency and agreed upon by the Commission
- Coordination of Stewards to assist with directing the selection of Covered Horses to the Test Barn on Race Days pursuant to HIWU Policies

EXHIBIT B

Contacts

EAD/ECM Notices, Charges, Sanctions

[NAME]; [EMAIL ADDRESS] [NAME]; [EMAIL ADDRESS]

Negative Results

[NAME]; [EMAIL ADDRESS] [NAME]; [EMAIL ADDRESS]

Race Day

Post Race TCO2

[NAME]; [EMAIL ADDRESS] [NAME]; [EMAIL ADDRESS]

Vets' List

[NAME]; [EMAIL ADDRESS] [NAME]; [EMAIL ADDRESS] 2. Discussion of amended application for pari-mutuel operating license

MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Re:	Dania Entertainment Center, LLC d/b/a Dania Jai-Alai (JLAI274)
	Permitholder's application to amend its annual operating license
Case#:	2025-005515
Date:	January 28, 2025

Executive Summary

A permitholder has applied to amend its operating license.¹ The Commission should approve this request.

Background

Dania Entertainment Center, LLC d/b/a Dania Jai-Alai ("Dania Jai-Alai") possesses a valid jai alai permit. Dania Jai-Alai was issued a pari-mutuel operating license for the 2024-2025 fiscal year. When Dania Jai-Alai applied for its operating license, it included 86 performances.² On January 22nd, Dania Jai-Alai notified the Commission that they had a power outage causing them to cancel their matinee performance and is now requesting to reschedule that performance on February 17th for a total of 86 performances.

<u>Analysis</u>

The Commission is authorized to approve changes in performance dates after a license has been issued. ³ Dania Jai-Alai has satisfied all requirements and is requesting an amendment from the current year's initial license.

<u>Recommendation</u> The Florida Gaming Control Commission should approve Dania Entertainment Center, LLC d/b/a Dania Jai-Alai's application to amend its 2024-2025 operating license schedule.

¹ A jai alai permitholder may elect not to conduct live games and still retain its permit. §550.01215(1)(b)1., Fla. Stat. ² "Performance" means "a series of events, races, or games performed consecutively under a single admission charge." §550.002(25), Fla. Stat. ³ §550.01215(3), Fla. Stat. STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION DIVISION OF PARI-MUTUEL WAGERING License Number: 274 Permit Type: JLAI Permit County: Broward Amendment: A

LICENSE TO CONDUCT PARI-MUTUEL WAGERING

For:

Dania Entertainment Center, LLC

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

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

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

Valid From: July 1, 2024 Expires On: June 30, 2025 Permitholder does intend to accept wagers on intertrack or simulcast events.

Issued and dated, this _____ day of February, 2025.

By

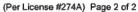
Ross Marshman, Executive Director Florida Gaming Control Commission

This license, and attached schedule of live performances, is issued in accordance with the Florida Pari-Mutuel Wagering Act and the rules promulgated thereunder. This license shall be operated at the location of a pari-mutuel permit and is subject to any and all laws of the State of Florida.



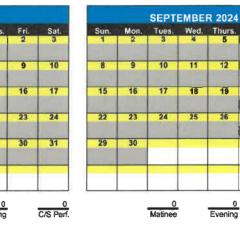
Page 1 of 2

Dania Entertainment Center, LLC (d/b/a Dania Jai Alai) 2024/2025 Calendar











Sat.

14

21

28

0 C/S Perf.

Fri.

13

20

27

0



Matinee







Full-card simulcast schedule subject to change, stø: Calendar considered informational only.

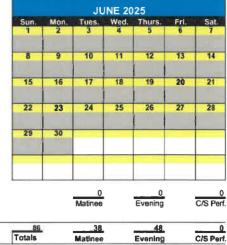




Initial

Date





2 Evening

OPERATING LICENSE CHANGE REQUEST CHECKLIST

PERMITHOLDER: Dania Entertainment Center, LLC (JLAI274)

FISCAL YEAR: 2024/2025 CASE NUMBER: 2025-005515

1

DATE RECEIVED: January 28, 2025

CHANGE REQUESTED: Mat performance cancelled on 1/22/25, the facility has requested to reschedule the performance for 2/17/25.

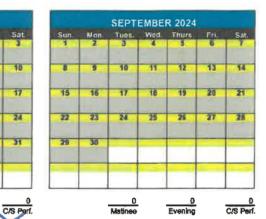
REVIEWER'S NAME: La'Kesha Jelks

Requirement		Met? Y/N	Deficiency Sent	Resolved	
Original application form FGC	C PMW	Y			
Original Calendar FGCC PM	N 3080.		Y		
75-2.027 Each performance s consist of a minimum of 8 rac	Mat: 9-10 Eve: 9-10	Y			
Matinee start time: (prior to 6pm)	1pm		Y		
Evening start time*: (6pm & later)	7pm		Y		

PMW LICENSE FORWARDED TO THE FOLLOWING FOR FINAL REVIEW: 1.

REV/AUD SECTION PERMIT ADMIN	REVIEWED REVIEWED		DATE: DATE:	1/30/2025
OGC OTHER	REVIEWED REVIEWED	INITIALS:	DATE: DATE:	1/30/25

Dania Entertainment Center, LLC (d/b/a Dania Jai Alai) 2024/2025 Calendar



DECEMBER 2024

Wed. Thur

Mat Eve

Mat Eve 18

Mat

Eve

Eve 12

Eve 19

Eve 26

Mat

Eve

Evening

Mon

Tage

Matinee

Sat

Mat Eve 14 Mat

Eve 21

Mat

Eve 28

Mat

Eve

C/S Perf.

C/S Perf.

C/S Perf.

Fri.

Eve

Eve 27

Eve

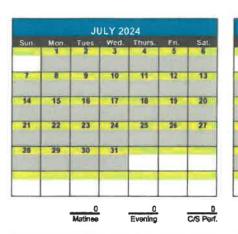
(Per License #274) Page 2 of 2 AUGUST 2024

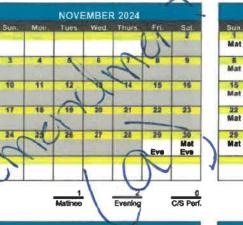
Matinee

Wed. Thurs

Evening

Fri.









JUNE 2025

Wed.

Thurs

Evening

Evening

Mon.

Sun.

Totais

C/S Perf.

Tues.

Matinee

3.8 Matinee



MAY 2025

Wed.

6T 3/14/24

Thurs

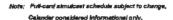
Evening

Sun. Mon. Tues.

Matinee







La'Kesha Jelks

From: Sent: To: Cc: Subject: Attachments: Randy Macarella <randy.macarella@daniacasino.com> Tuesday, January 28, 2025 12:59 PM La'Kesha Jelks Elisa Festa RE: Quesetion 24-25 revised dates.pdf

Hi La'kesha

Here is the updated file.

Thanks,

Randy

From: La'Kesha Jelks <LaKesha.Jelks@flgaming.gov> Sent: Tuesday, January 28, 2025 10:46 AM To: Randy Macarella <randy.macarella@daniacasino.com> Cc: Elisa Festa <elisa.festa@daniacasino.com> Subject: RE: Quesetion

Greetings,

Yes. Use the attached form to make the corrections.

Best,

La'Kesha Gelks

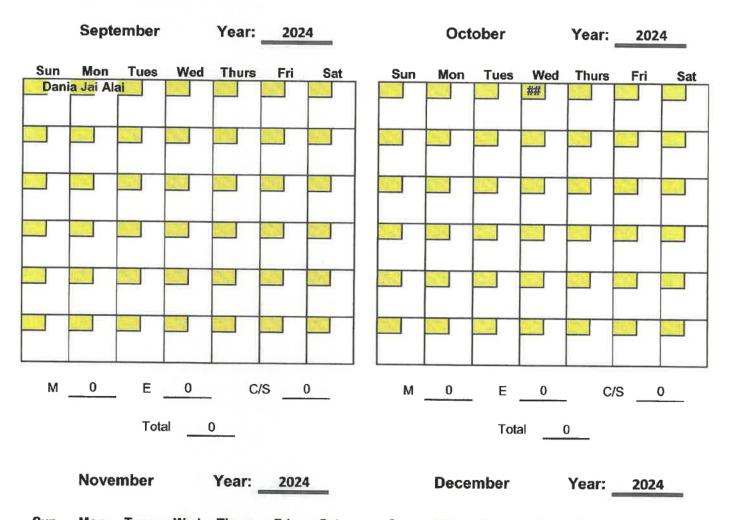


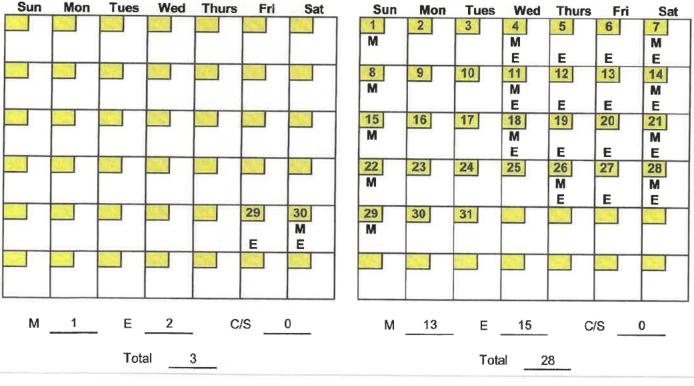
La'Kesha Jelks Government Operations Consultant III <u>Florida Gaming Control Commission</u> Pari-Mutuel Wagering Phone: (850) 794-8114

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

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

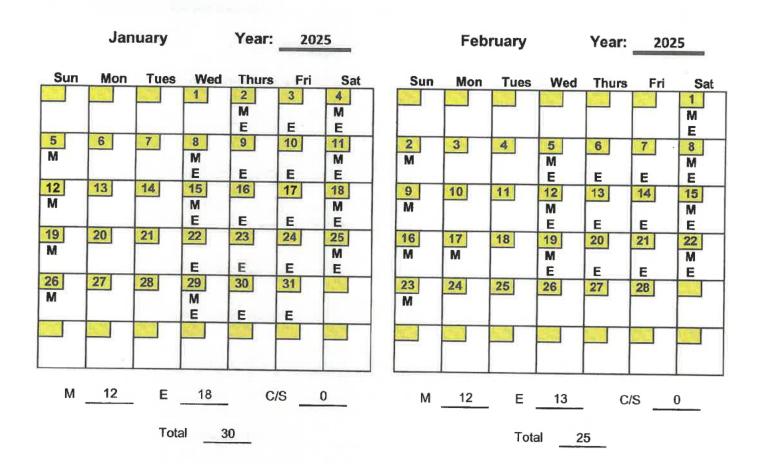
From: Randy Macarella <<u>randy.macarella@daniacasino.com</u>> Sent: Tuesday, January 28, 2025 10:37 AM To: La'Kesha Jelks <<u>LaKesha.Jelks@flgaming.gov</u>>





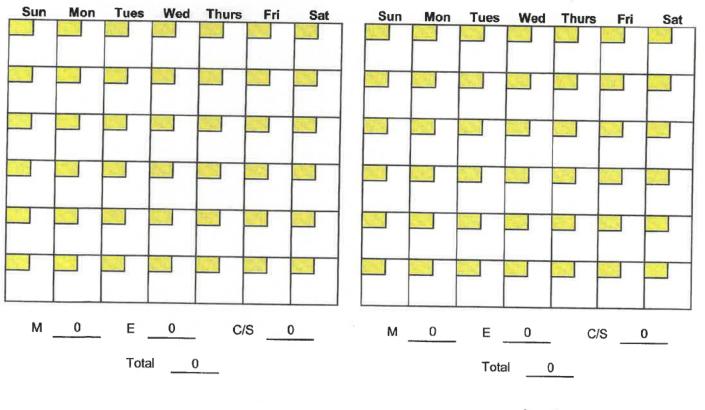
FGCC PMW-3080, Effective 12-13-2016, Rule 75-4.004, F.A.C. Page 1 of 4





March Year:

April Year: ____



FGCC PMW-3080, Effective 12-13-2016, Rule 75-4.004, F.A.C. Page 1 of 4

Initials

La'Kesha Jelks

From: Sent: To: Subject: Attachments: La'Kesha Jelks Tuesday, January 28, 2025 10:02 AM Elisa Festa RE: Quesetion STLH-PMWDir25012810530.pdf

Greetings,

The perfromances on Nov. 29th, 30th, and Feb. 23rd are not listed on the 3080 provided. Please see the attached.

If a correction needs to be made, on my behalf or yours, please let me know.

Best,

La'Kesha Gelks



La'Kesha Jelks Government Operations Consultant III Florida Gaming Control Commission Pari-Mutuel Wagering Phone: (850) 794-8114

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

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

From: Elisa Festa <elisa.festa@daniacasino.com> Sent: Saturday, January 25, 2025 10:18 AM To: La'Kesha Jelks <LaKesha.Jelks@flgaming.gov> Subject: RE: Quesetion

Good morning,

I have completed the 3190; 3060 and 3080.

It will be signed and notarized Monday and scanned to you.

Is there anything else we need to send to you?

Thank you so much La'Kesha---oh and I heard you have been promoted!! Congratulations!

Elisa Festa Tabasso, Ph.D. | Director of Compliance The Casino @ Dania Beach

P: (954) 920-1511 x1701

We were wondering if we can reschedule our Matinee that was cancelled due to a power outage?

Elisa Festa Tabasso, Ph.D. DIRECTOR OF COMPLIANCE



Direct | 954-920-1511 Ext.1701 CASINODANIABEACH.COM | 844-7-WIN-BIG 301 E. Dania Beach Blvd. Dania Beach, FL 33004



FGCC PMW-3060 – Permitholder Application for License and Operating Dates

RECEIVED



The state of florida gaming control commission of pari-mutuel wagering commission of pari-mutuel wagering commission www.figaming.gov

INSTRUCTIONS

This form is to be submitted in conjunction with Form FGCC PMW-3080 – Permitholder Calendar (If conducting live races/games) and Form FGCC PMW-3190 – Officers and Directors.

Check the box that designates the purpose of this form filing:

Application for Annual License and Operating Dates

Application for Amendment to Annual License and Operating Dates

PERMITHOLDER INFORMATION									
Permitholder Name Permit DANIA ENTERTAINMENT CTR, LLC 274	:#	FEID# or SSN *							
Doing Business As (D/B/A) DANIA JAI-ALAI									
MAILING ADD	RESS	Water and the state of the	ar an						
Street Address or P.O. Box 301 EAST DANIA BEACH BLVD									
City DANIA BEACH		State FL	Zip Code (+4 optional) 33004						
County (if Florida address) BROWARD	Country USA								
CONTACT INFOR	RMATION		And the standard state of the state						
Contact Name ARNALDO SUAREZ	Title CEO								
Primary Phone Number Fax Number 954-920-1511 N/A									
Primary E-Mail Address Cell Phone Number ARNALDO.SUAREZ@DANIACASINO.COM 954-943-2422									
PHYSICAL LOCATION OF PA	RI-MUTUEL	FACILITY							
Street Address 301 EAST DANIA BEACH BLVD									
City DANIA BEACH		State FL	Zip Code (+4 optional) 33004						
If there is a lease agreement to operate live performances at and of the lease agreement containing the following information: (1) The name of the applicant and the lessor; (2) The address of the applicant and the lessor; (3) The type of permit held by both the applicant and the lessor; (4) The exact location where the applicant is currently permitted to (5) The exact location where the lessor is currently permitted to co (6) The exact location where the applicant intends to conduct pari	o conduct pa	ri-mutuel performar nutuel performance	nces; s; and						

*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.



2.0

ADDITIONAL INFORMATION . E CLIVED
Attach a certificate from the Clerk of the Circuit Court or other authorized County Official certifying that the permit has not been recalled.
Has there been any change in ownership interest, officers, partners, or directors; or a change in ownership or location of the pari-mutuel facility? If changed, state fully. If none, state "No change." Use additional pages, if necessary.
Is the applicant incorporated? Yes 🖸 No 🗆 If yes, under the laws of which state? FL
Please list all officers, directors, and stockholders of record of the applicant using Form FGCC PMW-3190 – Officers and Directors.
Please document persons who are the bona fide and beneficial owners of the entire stock of the applicant using Form FGCC PMW-3190 – Officers and Directors. If corporation, list name of corporation and stockholders; if partnership, list partners.
Please list the stockholders of the applicant who are subject to a voting trust or have been pledged to a trustee or party other than the beneficial owner using Form FGCC PMW-3190 – Officers and Directors.
Have any persons listed on Form FGCC PMW-3190 – Officers and Directors ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges (other than minor traffic violations) in any state or county? Yes I No I If yes, list the individual(s) name, license number and title:

The applicant desires to conduct a racing/jai alai meet for the 20 24	- 20 25 season during the following							
The applicant desires to conduct a racing/jai alai meet for the 20 24 - 20 25 season during the following period(s). Please follow instructions on calendars attached to permit application to mark days, dates, and types of performances.								
 Yes No Permitholder intends to accept wagers on intertrack or simulcast events. Permitholder will NOT be conducting any live races/games during the above listed season. If zero performances are conducted the following operating information does NOT need to be completed. Form 3080 is also NOT required. 								
	sing Date(s): 23/2025							
Number of Dark Days: 24 Number of Live Days: 62								
Performances 48 Number of Evening Performances 38 Number of Matinee Performances 30 Number of Charity/Scholarship Performances 0 Total Number of Performances 86								
Number of races/games during evening performances: 9/10 Starting time: 7PM Number of races/games during matinee performances: 9/10 Starting time:								

ATTESTATION

I hereby certify that every state ment contained herein is true and omission in this application may result in deniel or revocation of m rules and regulations of the Division of Pari-Mutuel Wagering and	ny pari-mutuel license. I agree to abide by and obey all
Signature of Applicant or Applicant's Representative	27 · Jan · 2025 Date (MM/DD/YYYY)
ARWaldo Suarez Print Applicant or Applicant's Representative Name	CEO/GIENERAL MANAGER Print Title

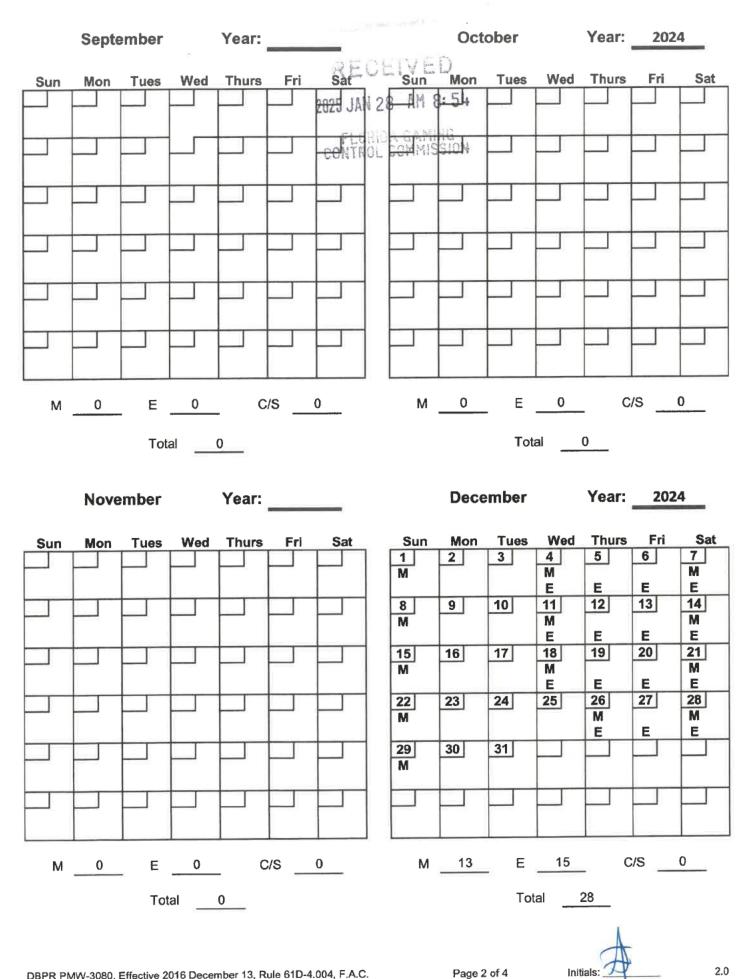
DBPR PMW-3080 - Permitholder Calendar



RECEIVED STATE OF FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION & AM 8: 54 DIVISION OF PARI-MUTUEL WAGERING www.myfloridalicense.com

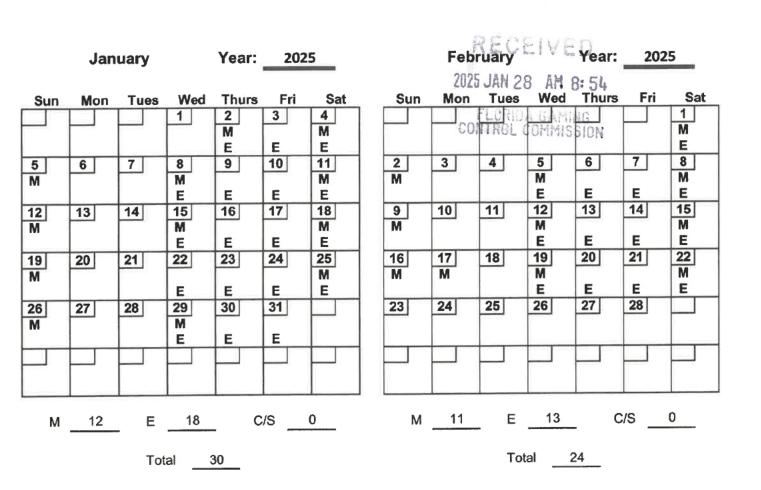
FLORIDA GAMING CONTROL COMMISSION

PERMITHOLDER INFORMATION													
Name	DANIA	JAI ALAI						Per	mit #	274			
			uter in the			Contraction of the state of the state	UCTIONS				Windstan		
Submit this form in conjunction with the form DBPR PMW-3060 – Permitholder Application for License and Operating Dates.													
Please do not overlook the cardroom section and the required application oath on page 4.													
Please fill in appropriate year, and date below and on the following pages. Using the letter code below, write the type of													
perform	nance in e	each box	. Fill in	the total	number	of perforr	nances for	each mo	nth.			mentanas di	
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	MW-3080 F	4.004, F.A.C.		Page 1	of 4	Init	ials: 📈	1	2				



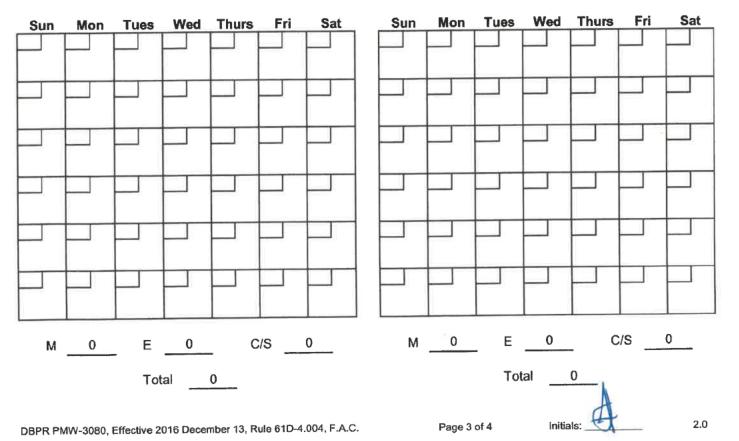
DBPR PMW-3080, Effective 2016 December 13, Rule 61D-4.004, F.A.C. Page 2 of 4

2.0





April Year:



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	CARDROOM OPERATORS ONLY								
Hours of Cardroom Operations									
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday			
9AM3 AM	9 AM_ 3AM	9AM3AM	91-3AM	9AM_3AM	9AM AAM	9×1-4×14			
_	-	_	_	—	_				
Year Round?	Ves	No No	If No, Dates:						

0/	ATH	
I swear or affirm that the information provided in this application is true a this application could subject the applicant to criminal penalties relating	to perjury or other diffenses.	~
ARNaldo Sharez CEO/General Max Name (Please Print) Title (Please Print)	Signature	27:JAN:2025 Date
State of Florida. County of Swom to (or affirmed) and subscribed before me this day of	Janaly 2015,	
Afraido Waltez, who is p	ersonally known to me or produces	the following as identification:
Notary Public Lucio	Als/2027	
My Commission Expires: 46 W27	Maria G Garavito	
	EP, HH 382951	d
DBPR PMW-3080, Effective 2016 December 13, Rule 61D-4.004, F.A.C.	Page 4 of 4	Initials: 2.0



State of Florida Department of Business and Professional Regulation **Chronology Report**

Case #:	2025005515		Incident da	te: 01/28/2025	Status:	10 - Initial Re	view		
Lic Type:	1001		Disposition	:					
Case Type:	Complaint								
Responsible:	ljelks - JELKS, LA'k	jelks - JELKS, LA'KESHA							
Complainant:	DANIA ENTERT	AINMENT	CENTER, LI	LC					
	301 EAST DANI	A BEACH I	BLVD., DAN	IA BEACH, FL 330	04				
Respondent:	FGCC, PARI-MU	JTUEL WA	GERING						
	4070 ESPLANA	DE WAY, T	ALLAHASS	EE, FL 32399					
Summary:	OPERATING LIC CHECKLIST	OPERATING LICENSE CHANGE REQUEST CHECKLIST							
	PERMITHOLDER: Dania Entertainment Center, LLC (JLAI274) FISCAL YEAR: 2024/2025 DATE RECEIVED: January 28, 2025 CHANGE REQUESTED: Mat performance cancelled on 1/22/25, the facility has requested to reschedule the performance for 2/17/25. REVIEWER'S NAME: La'Kesha Jelks								
Chronology:	Effective Date	Туре	Lic Type	Code	Description		Responsible Party	Respondent	
	01/28/2025	R		ljelks	JELKS, LA'KES	HA	ljelks		
	01/28/2025	S	1001	10	Initial Review		ljelks		

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3. Discussion of default final orders

MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Emily Alvarado, Chief Attorney
Re:	FGCC v. St-Phard Davidson
	Case Number 2024-054731; Default Final Order
Date:	January 30, 2025

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") served the Respondent, St-Phard Davidson ("Respondent"), with an administrative complaint seeking to exclude him from all pari-mutuel and slot facilities in the state of Florida. Respondent failed to timely respond to the administrative complaint and thereby waived his right to request a hearing contesting this matter. The Division requests that the Florida Gaming Control Commission enter a final order permanently excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

Background

On September 6, 2024, Respondent was a patron at Casino Miami, LLC¹. Subsequently, Respondent was ejected and permanently excluded from the facility.² The reason for the ejection is included as Exhibit 1 of the administrative complaint.

Based on Respondent's ejection from Casino Miami, LLC, the Division filed an administrative complaint on October 24, 2024, seeking his exclusion from all parimutuel and slot machine 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 November 7, 2024, which means the Respondent had until November 28, 2024, to respond. He has never responded.

¹ Casino Miami, LLC is operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida.

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

Florida law allows for the exclusion of Respondent from all pari-mutuel and slot machine facilities in the state.

Section 550.0251(6), Florida Statutes, provides 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." Further Section 551.112 provides that "[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."

Therefore, Respondent's ejection from Casino Miami, LLC – which is both a parimutuel facility and slot machine licensee in this state – subjects him to exclusion from all pari-mutuel and slot machine facilities in this state.

Moreover, Respondent failed to file a timely response to the Division's administrative complaint and has thus waived his right to request a hearing on the matter.

<u>Staff Recommendation</u>: The Division recommends that the Florida Gaming Control Commission enter a final order permanently excluding the Respondent, St-Phard Davidson, from all pari-mutuel and slot machine facilities in the state of Florida.

	FILED
FLORIDA GA	AMING CONTROL COMMISSION
Date: File Number:	10/24/2024

BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION

FGCC Case No.: 2024-054731

STATE OF FLORIDA L

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

Petitioner,

v.

ST-PHARD DAVIDSON,

Respondent.

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against St-Phard Davidson ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel, slot machine, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.

At all times material hereto, Respondent's address was reported as 1489 Northwest
 30th Street Miami, Florida 33142.

3. At all times material hereto, Casino Miami, LLC was a facility operated by a permitholder authorized by the Commission to conduct pari-mutuel wagering, cardroom operations, and slot operations in the state of Florida.

4. On or about September 6, 2024, Respondent was a patron and was ejected from Casino Miami, LLC.

5. On or about September 12, 2024, Respondent was permanently excluded from Casino Miami, LLC.

- 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. <u>The commission may exclude from any pari-mutuel facility within this state any person</u> 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 added).

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. <u>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.</u>

(Emphasis added).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-

mutuel wagering facilities and any facility of a slot machine licensee in the state of Florida under sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from Casino Miami, LLC on or about September 6, 2024.

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, in accordance with sections 550.0251(6) and 551.112, 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 2024-054731 is signed this 23rd day of October 2024.

/s/Emily A. Alvarado

Emily A. Alvarado Chief Attorney FBN: 1025200 Florida Gaming Control Commission Office of the General Counsel Division of Pari-Mutuel Wagering 4070 Esplanade Way, Suite 250 Tallahassee, Florida 32399-2202 Telephone: (850) 794-8066 Facsimile: +1 (850) 536-8709 Primary: Emily.Alvarado@flgaming.gov Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS TO REQUEST A HEARING

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

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

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

1 EAD 1 Habit 1 Sim Ch VR Home Inbox Entity Application License (Cash Exam Inspection Enforcement Report) Complaint Search Chance Recording License Type Delets Complaint Mass Activity Update Mass Discipline Update Domain 10 - Division of Pari-Mutuel Wagering Logged in as: jhodg VR Home > Complaint Search > Maintain Complaint Status 90 Closed Status Date 10/18/2024 Complaint # 2024054731 Case Type CMP - Complaint # 2024054731 Disposition Disposition Date Docket# Respondent DAVIDSON, Responsible BRADFORD Private Case Complaint Respondent Complainant Addt1 Info Source INTN - Internal Private Case Source INTN - Internal Security R - Regular Source INTN - Standard Incident 09/06/2024 Allegations Discipline Region SR - Southern Region Received 09/19/2024 Allegations Disposition Disposition Casing Ontrol Commission - 0.09/12/2024, the patron ST - PHARD DAVIDSON had been propresent the Casino Mami, submitted by e-mail a copy of the Casino Mami, submarked reproprive of the Casino Mami curumbar; CML-00002254 reveal	EXHIBI	т							
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN		Complaint: 5/2024	Case Number: 2024-05-4731		
Respondent: DAVIDSON, ST-F 1489 NW 30 th ST MIAMI, FLORIDA	PHARD REET		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309			
	# and Type: _ / 1098		ssion: r on	Report Date: 09/27/2024		
	Period of Investigation 24, 2024, through Jui	ו:		Type of Report: Final		
Alleged Violation(s): F.S.S. 550.0251 Powers and duties of the Florida Gaming Control Commission. (6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.						
Synopsis: According to Casino Miami Security Report # CMJ-000002954, on September 6, 2024, the patron, St-Phard DAVIDSON was observed by the Casino Miami Surveillance Department using multiple Player's Club cards in a Slots area of the Casino, identified as the "FN smoking section." Security Supervisor, Dontrell Rashaurd Allen confronted DAVIDSON regarding the Player's Club cards. DAVIDSON stated that the cards belonged to his family, and that he was helping them get their "free play." DAVIDSON presented a total of 15 cards that were in his possession at the time. A review of the Player's Club cards revealed that four (4) of the cards belonged to DAVIDSON , and the other eleven (11) Player's Club cards belonged to different patrons to whom he has no affiliation (EXHIBIT #1).						
Related Case(s):						
Investigations /Sp	ecialist II / Date:		nvestigations Mar	nager / Date:		
Jose Molina / S	September 27, 2024	. e	Tyrell Smith / October 3, 2024			
Chief of Investiga Bradford D. Jones	tions / Date		yron onnur 7 O			

Further Investigation revealed that the Player's Club cards in **DAVIDSON's** possession were identified as belonging to the following individuals:

1) Jigmore Oglester	DOB	#270667
2) Daniel Vega	DOB:	#557251
3) Roberto Portela	DOB:	#579087
4) Yuleyvi Cardenas Hernandez	DOB:	#296596
5) Elizabeth Hernandez	DOB:	#470595
6) Xazier Brookins	DOB:	#116677
7) Nehemy Derine	DOB:	#395719
8) Michelle Sanchez	DOB:	#551433

Player's Club Cards with limited information listed.

- 1) Emanuel/Elm
- 2) Leonard/Leo
- 3) Francis

According to Casino Miami Surveillance Report #CMJ-000014016, on 09/06/2024, at 17:39 hours, (5:39 PM), the patron **DAVIDSON**, **St-Phard** was observed by the Casino Miami Surveillance Department personnel with multiple Player's Club cards at slot machine FN-05. At 17:43 hours (5:43 PM), Casino Miami Surveillance Department personnel observed Security Supervisor Dontrell Rashaurd Allen speaking to **DAVIDSON** and taking possession of multiple Player's Club cards (**Exhibit #2**).

On 09/20/2024, Steven Rinaldi, Marketing Director for Casino Miami, provided (via email) this Investigator with contact telephone numbers for the patrons associated with the Player's Club cards, found in **DAVIDSON'S** possession on 09/06/2024.

This Investigator attempted to contact the eight (8) patrons listed in the e-mail from Steven Rinaldi with usable contact information. Messages were left for; Daniel Vega, telephone number (305) 962-5186; Yuleyvi Cardenas Hernandez, telephone number (786) 925-5671 and Michelle Sanchez, telephone number (786) 715-1434. The listed parties did not return the messages.

This Investigator also attempted contact with the following additional Player's Club card patrons, associated with the Player's Club cards, in **DAVIDSON'S** possession on 09/06/2024. A call was placed to Jigmore Oglester at telephone number, (786) 362-9830; there was no answer. A call was placed to Elizabeth Hernandez at telephone number, (786) 770-6947. A message stated that the voicemail box had not been set up yet. A call was placed to Xazier Brookins at telephone number (305) 693-3613; there was no answer. A call was placed to Nehemy Derine at telephone number (786) 470-6721. The female that answered the call stated that Derine was not known to her.

This Investigator was able to make contact with Roberto Portela, telephone number (786) 360-9286. Portela stated that he had been at Casino Miami a few months earlier. He added that the name St-Phard **DAVIDSON** sounded familiar, but he could not recall why. Portela stated that he did not gamble much, and that he had only been at Casino Miami on a few occasions. He stated that he may have left his Player's Club card at a slots machine at Casino Miami, and he had not reported it missing/stolen.

On 10/08/2024, at 9:12 AM, this Investigator interviewed **DAVIDSON** via telephone number (786) 454-5799. During the interview **DAVIDSON** stated that all the Player's Club cards that he had in his possession on the day of the incident, belonged to either his family members or to friends. **DAVIDSON** stated that one of the Player's Club cards belonged to his Mother, Marie Victor while another of the cards belonged to his Sister, Debbie West¹.

DAVIDSON stated that he had gone to Casino Miami with each of the individuals listed on the cards, at different times to obtain the Player's Club cards. The individuals then gave the Player's Club cards to **DAVIDSON** so that he could utilize the "free play." **DAVIDSON** stated that he would use the "Player's Club" cards when he was "low on money."

This Investigator questioned **DAVIDSON** about each of the names associated with the Player's Club cards that were in his possession on 09/06/2024:

With regards to the Player's Club card belonging to Jigmore Oglester, **DAVIDSON** stated that Oglester was one of his close friends. Oglester had given **DAVIDSON** permission to use the Player's Club card. **DAVIDSON** stated that he had lost his cellular telephone with all the contact telephone numbers, including the contact number for Oglester.

With regards to the Player's Club card belonging to Daniel Vega, **DAVIDSON** stated that he had found the Player's Club card at the Casino. **DAVIDSON** stated that he had never used the card.

With regards to the Player's Club card belonging to Roberto Portela, **DAVIDSON** stated that Portela was one of his friends. **DAVIDSON** stated that Portela's full name was Roberto Angel Portela. **DAVIDSON** attended Allapattah Middle School with Portela. He had not had contact with Portela in a while, and he did not have Portela's telephone number. **DAVIDSON** stated that Portela had given him the Player's Club card the same day that Portela obtained it at Casino Miami².

Regarding the Player's Club card belonging to Yuleyvi Cardenas Hernandez, **DAVIDSON** stated that he had probably picked up the card by "mistake." He stated that people would leave Player's Club cards "lying around."

With regards to the Player's Club card belonging to Elizabeth Hernandez, **DAVIDSON** stated that he did not recall how he obtained the card. He added that he probably picked up that card "by mistake."

With regards to the Player's Club card belonging to Xazier Brookins, **DAVIDSON** stated that he knew Brookins. Brookins would come to visit the people living at the house across from where **DAVIDSON** resided. **DAVIDSON** went to Casino Miami with Brookins, when Brookins obtained the Player's Club card. **DAVIDSON** had no contact information for Brookins.

With regards to the Player's Club card belonging to Nehemy Derine, **DAVIDSON** stated that Derine was his cousin. He stated that Derine's telephone line had been disconnected.

With regards to the Player's Club card belonging Michelle Sanchez, **DAVIDSON** stated that Sanchez was one of his close friends. Sanchez had told **DAVIDSON** that this Investigator had called her, but Sanchez did not want to return the call for fear of "getting in trouble."

¹None of the Player's Club cards in DAVIDSON possession on 09/06/2024 bore the names Marie Victor or Debbie West.

² When Portela was contacted he stated the name St-Phard DAVIDSON "sounded familiar", but he could not recall why.

With regards to the Player's Club card belonging to Emanuel/Elm, **DAVIDSON** stated that Emanuel LeBrun was a friend, but could not provide any contact information for this individual.

With regards to the Player's Club card belonging to Leonard/Leo, **DAVIDSON** stated that Leonard Louverture was another of his cousins. According to **DAVIDSON**, Louverture had previously resided in South Florida but has since moved to another [unknown] state.

With regards to the Player's Club card belonging to Francis (last name unknown), **DAVIDSON** stated that Francis was a female friend. He had forgotten her last name as well as how to contact her.

DAVIDSON stated that he had been going to Casino Miami for the <u>past three (3) to four (4) years</u>. The incident in question <u>was the first time he had any issues at the Casino</u>. He was not aware that he could not use someone else's Player's Club card. **DAVIDSON** stated that this would not happen again. He stated that he could have received a warning. **DAVIDSON** added that if there was any way that this Investigator could give a recommendation to the Casino on his behalf, he would really appreciate it.

DAVIDSON was informed by this Investigator that a report would be submitted with all the information that he provided during the interview. **DAVIDSON** was told that he could contact this Investigator if he had any additional information and was provided the FGCC Fort Lauderdale office telephone number. The telephonic interview ended at 9:36 A.M.

Conclusion: As a result of **DAVIDSON's** actions, effective September 12, 2024, he has been Permanently Trespassed (Excluded) by Casino Miami Management.

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

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Security Department

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

CMJ-000002954 - Patron - Trespass Permanent - Reported 09/12/2024 19:00

Author: Jorge Callejas 13298951 Start Time: 09/12/2024 19:00

Report Group: Exclusion Reports

Note: Permanent Trespass

Location / Origin: Slot Machine Bank FN

Person

Name: St-Phard Davidson

Race: African American

Eye color: Brown

Height: 5'09" Inches

DOB:

Drivers Lic#:

Comments: 1489 NW 30th St Miami, FL 33142 PC# 148331 Report Type: Patron - Trespass Permanent

Report Number: CMJ-000002954

End Time: 09/12/2024 19:10

Alias:

Gender: Male

Hair color: Black

Weight: 135 Pounds

Keywords: Permanently Trespassed, Suspicious Activity, Unauthorized Use of Players Cards

Narrative



On Friday September 6, 2024, Mr. St-Phard Davidson was spotted by surveillance using multiple Player's Club cards in the FN smoking section of the casino. S3 Allen was called to speak with Mr. Davidson about the cards. When confronted, Mr. Davidson stated that the cards belonged to his family and he was helping them get their freeplay. He presented a total of 15 cards that he had in his possesion. 4 belonged to him specifically, where the other 11 belonged to misc other patrons.

S3 Allen retrieved the 11 cards from Mr. Davidson and then proceeded to escort him out of the casino through the C1 casino exit. Mr. Davidson was informed that he was being excluded from the casino for the day but he was to speak with management before returning. Surveillance was informed of Mr. Davidson's departure from the casino.

Cards:

Jigmore Ogleste	r DOB:0	#270667
Daniel Vega	DOB:	#557251
Roberto Portela	DOB:	#579087
Yuleyvi Cardenas	s Herna	
	DOB:	#296596
Elizabeth Hernar	ndez	
	DOB:	#470595
Xazier Brookins	DOB:	#116677
Nehemy Derine	DOB:	#395719
Michelle Sanchez	DOB:	#551433
Cards w/no inf	0:	
Emanuel/Elm		
Leonard/Leo		
Francis		

UPDATE: On 9/12/2024 Mr. Davidson was Permanently Trespassed from Casino Miami by Management due to above incident.

Addendums

Jorge Callejas 13298951 - 09/12/2024 19:02

On 9/12/2024 Mr. Davidson was Permanently Trespassed from Casino Miami by Management due to above incident.

Signature /	4
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Date

Signature B

Date

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

MiAMi

CMJ-000014016 - Surv-Permanent Casino Exclusion Report - Reported 09/06/2024 17:54

Author: Donald Gracia 13012734

Report Number: CMJ-000014016

Start Time: 09/06/2024 17:48

End Time: 09/06/2024 17:48

Report Group: Surveillance Reports

Report Type: Surv-Permanent Casino Exclusion Report

Note: Perm-Exclusion Patron, Davidson St-Phard - was escorted out by Security Supervisor, Dontrell Rashaurd Allen aftere surveillance identified him using a players club card, that did not belong to him at slot machine FN-05

Location / Origin: Incident-Missing Free Play or Club Card

Camera: 510

Narrative

Patron, Davidson St-Phard - was escorted out by Security Supervisor, Dontrell Rashaurd Allen aftere surveillance identified him using a players club card, that did not belong to him at slot machine FN-05

At 17:39 hours surveillance observed Patron, Davidson St-Phard with multipul players club card at slot machine FN-05

At 17:43 hours surveillance observed Security Supervisor, Dontrell Rashaurd Allen speaking to Mr St-Phad and taking the the multiple playerclub cards

At 14:48 hours surveillance observed Security Supervisor, Dontrell Rashaurd Allen escorting Patron, Davidson St-Phard out of casino at C1

This report was written by Surveillance Supervisor Donald Gracia 13012734

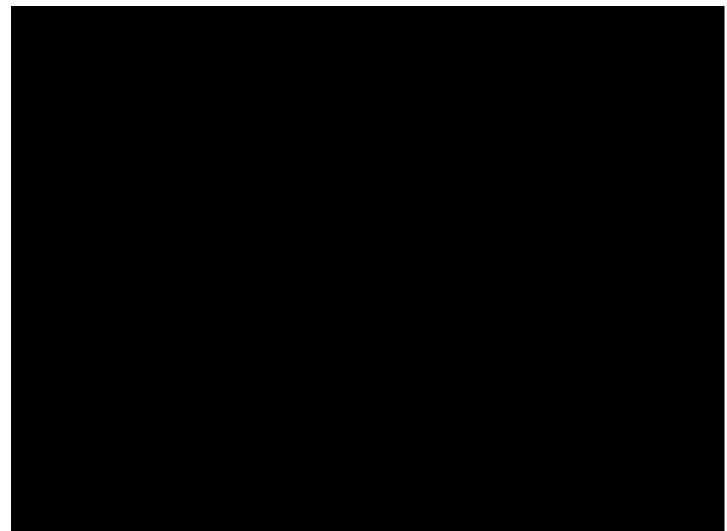
This report was approved by Surveillance Director, William Hutcheson # 7874265.

Signature A

Date

Signature B

Date



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	copy of the Casino Miami trespass list. A review of the list by the undersigned revealed that on 09/12/2024, the patron ST- PHARD DAVIDSON had been permanently excluded from Casino Miami, for using multiple player club cards belonging other patrons. A review of Casino Miami Security report		nging		1					
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: 09/06/2024		Case Number: 2024-05-4731		
Respondent: DAVIDSON, ST-PHARD 1489 NW 30 th STREET MIAMI, FLORIDA 33142			Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309			
	# and Type: _ / 1098		ssion: r on	Report Date: 09/27/2024		
	Period of Investigatior 24, 2024, through Jui		Type of Report: Final			
Alleged Violation(s): F.S.S. 550.0251 Powers and duties of the Florida Gaming Control Commission. (6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.						
Synopsis: According to Casino Miami Security Report # CMJ-000002954, on September 6, 2024, the patron, St-Phard DAVIDSON was observed by the Casino Miami Surveillance Department using multiple Player's Club cards in a Slots area of the Casino, identified as the "FN smoking section." Security Supervisor, Dontrell Rashaurd Allen confronted DAVIDSON regarding the Player's Club cards. DAVIDSON stated that the cards belonged to his family, and that he was helping them get their "free play." DAVIDSON presented a total of 15 cards that were in his possession at the time. A review of the Player's Club cards revealed that four (4) of the cards belonged to DAVIDSON , and the other eleven (11) Player's Club cards belonged to different patrons to whom he has no affiliation (EXHIBIT #1).						
Related Case(s):						
Investigations /Specialist II / Date:			Investigations Manager / Date:			
lass Maline (C	2	÷	Jupel DSAR			
Chief of Investiga	September 27, 2024 tions / Date		yrell Smith / O	Clober 3, 2024		
Bradford D. Jones	K	ł				

Further Investigation revealed that the Player's Club cards in **DAVIDSON's** possession were identified as belonging to the following individuals:

1) Jigmore Oglester	DOB	#270667
2) Daniel Vega	DOB:	#557251
3) Roberto Portela	DOB:	#579087
4) Yuleyvi Cardenas Hernandez	DOB:	#296596
5) Elizabeth Hernandez	DOB:	#470595
6) Xazier Brookins	DOB:	#116677
7) Nehemy Derine	DOB:	#395719
8) Michelle Sanchez	DOB:	#551433

Player's Club Cards with limited information listed.

- 1) Emanuel/Elm
- 2) Leonard/Leo
- 3) Francis

According to Casino Miami Surveillance Report #CMJ-000014016, on 09/06/2024, at 17:39 hours, (5:39 PM), the patron **DAVIDSON**, **St-Phard** was observed by the Casino Miami Surveillance Department personnel with multiple Player's Club cards at slot machine FN-05. At 17:43 hours (5:43 PM), Casino Miami Surveillance Department personnel observed Security Supervisor Dontrell Rashaurd Allen speaking to **DAVIDSON** and taking possession of multiple Player's Club cards (**Exhibit #2**).

On 09/20/2024, Steven Rinaldi, Marketing Director for Casino Miami, provided (via email) this Investigator with contact telephone numbers for the patrons associated with the Player's Club cards, found in **DAVIDSON'S** possession on 09/06/2024.

This Investigator attempted to contact the eight (8) patrons listed in the e-mail from Steven Rinaldi with usable contact information. Messages were left for; Daniel Vega, telephone number (305) 962-5186; Yuleyvi Cardenas Hernandez, telephone number (786) 925-5671 and Michelle Sanchez, telephone number (786) 715-1434. The listed parties did not return the messages.

This Investigator also attempted contact with the following additional Player's Club card patrons, associated with the Player's Club cards, in **DAVIDSON'S** possession on 09/06/2024. A call was placed to Jigmore Oglester at telephone number, (786) 362-9830; there was no answer. A call was placed to Elizabeth Hernandez at telephone number, (786) 770-6947. A message stated that the voicemail box had not been set up yet. A call was placed to Xazier Brookins at telephone number (305) 693-3613; there was no answer. A call was placed to Nehemy Derine at telephone number (786) 470-6721. The female that answered the call stated that Derine was not known to her.

This Investigator was able to make contact with Roberto Portela, telephone number (786) 360-9286. Portela stated that he had been at Casino Miami a few months earlier. He added that the name St-Phard **DAVIDSON** sounded familiar, but he could not recall why. Portela stated that he did not gamble much, and that he had only been at Casino Miami on a few occasions. He stated that he may have left his Player's Club card at a slots machine at Casino Miami, and he had not reported it missing/stolen.

On 10/08/2024, at 9:12 AM, this Investigator interviewed **DAVIDSON** via telephone number (786) 454-5799. During the interview **DAVIDSON** stated that all the Player's Club cards that he had in his possession on the day of the incident, belonged to either his family members or to friends. **DAVIDSON** stated that one of the Player's Club cards belonged to his Mother, Marie Victor while another of the cards belonged to his Sister, Debbie West¹.

DAVIDSON stated that he had gone to Casino Miami with each of the individuals listed on the cards, at different times to obtain the Player's Club cards. The individuals then gave the Player's Club cards to **DAVIDSON** so that he could utilize the "free play." **DAVIDSON** stated that he would use the "Player's Club" cards when he was "low on money."

This Investigator questioned **DAVIDSON** about each of the names associated with the Player's Club cards that were in his possession on 09/06/2024:

With regards to the Player's Club card belonging to Jigmore Oglester, **DAVIDSON** stated that Oglester was one of his close friends. Oglester had given **DAVIDSON** permission to use the Player's Club card. **DAVIDSON** stated that he had lost his cellular telephone with all the contact telephone numbers, including the contact number for Oglester.

With regards to the Player's Club card belonging to Daniel Vega, **DAVIDSON** stated that he had found the Player's Club card at the Casino. **DAVIDSON** stated that he had never used the card.

With regards to the Player's Club card belonging to Roberto Portela, **DAVIDSON** stated that Portela was one of his friends. **DAVIDSON** stated that Portela's full name was Roberto Angel Portela. **DAVIDSON** attended Allapattah Middle School with Portela. He had not had contact with Portela in a while, and he did not have Portela's telephone number. **DAVIDSON** stated that Portela had given him the Player's Club card the same day that Portela obtained it at Casino Miami².

Regarding the Player's Club card belonging to Yuleyvi Cardenas Hernandez, **DAVIDSON** stated that he had probably picked up the card by "mistake." He stated that people would leave Player's Club cards "lying around."

With regards to the Player's Club card belonging to Elizabeth Hernandez, **DAVIDSON** stated that he did not recall how he obtained the card. He added that he probably picked up that card "by mistake."

With regards to the Player's Club card belonging to Xazier Brookins, **DAVIDSON** stated that he knew Brookins. Brookins would come to visit the people living at the house across from where **DAVIDSON** resided. **DAVIDSON** went to Casino Miami with Brookins, when Brookins obtained the Player's Club card. **DAVIDSON** had no contact information for Brookins.

With regards to the Player's Club card belonging to Nehemy Derine, **DAVIDSON** stated that Derine was his cousin. He stated that Derine's telephone line had been disconnected.

With regards to the Player's Club card belonging Michelle Sanchez, **DAVIDSON** stated that Sanchez was one of his close friends. Sanchez had told **DAVIDSON** that this Investigator had called her, but Sanchez did not want to return the call for fear of "getting in trouble."

¹None of the Player's Club cards in DAVIDSON possession on 09/06/2024 bore the names Marie Victor or Debbie West.

² When Portela was contacted he stated the name St-Phard DAVIDSON "sounded familiar", but he could not recall why.

With regards to the Player's Club card belonging to Emanuel/Elm, **DAVIDSON** stated that Emanuel LeBrun was a friend, but could not provide any contact information for this individual.

With regards to the Player's Club card belonging to Leonard/Leo, **DAVIDSON** stated that Leonard Louverture was another of his cousins. According to **DAVIDSON**, Louverture had previously resided in South Florida but has since moved to another [unknown] state.

With regards to the Player's Club card belonging to Francis (last name unknown), **DAVIDSON** stated that Francis was a female friend. He had forgotten her last name as well as how to contact her.

DAVIDSON stated that he had been going to Casino Miami for the <u>past three (3) to four (4) years</u>. The incident in question <u>was the first time he had any issues at the Casino</u>. He was not aware that he could not use someone else's Player's Club card. **DAVIDSON** stated that this would not happen again. He stated that he could have received a warning. **DAVIDSON** added that if there was any way that this Investigator could give a recommendation to the Casino on his behalf, he would really appreciate it.

DAVIDSON was informed by this Investigator that a report would be submitted with all the information that he provided during the interview. **DAVIDSON** was told that he could contact this Investigator if he had any additional information and was provided the FGCC Fort Lauderdale office telephone number. The telephonic interview ended at 9:36 A.M.

Conclusion: As a result of **DAVIDSON's** actions, effective September 12, 2024, he has been Permanently Trespassed (Excluded) by Casino Miami Management.

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

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Security Department

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

CMJ-000002954 - Patron - Trespass Permanent - Reported 09/12/2024 19:00

Author: Jorge Callejas 13298951 Start Time: 09/12/2024 19:00

Report Group: Exclusion Reports

Note: Permanent Trespass

Location / Origin: Slot Machine Bank FN

Person

Name: St-Phard Davidson

Race: African American

Eye color: Brown

Height: 5'09" Inches

DOB:

Drivers Lic#:

Comments: 1489 NW 30th St Miami, FL 33142 PC# 148331 Report Type: Patron - Trespass Permanent

Report Number: CMJ-000002954

End Time: 09/12/2024 19:10

Alias:

Gender: Male

Hair color: Black

Weight: 135 Pounds

Keywords: Permanently Trespassed, Suspicious Activity, Unauthorized Use of Players Cards

Narrative



On Friday September 6, 2024, Mr. St-Phard Davidson was spotted by surveillance using multiple Player's Club cards in the FN smoking section of the casino. S3 Allen was called to speak with Mr. Davidson about the cards. When confronted, Mr. Davidson stated that the cards belonged to his family and he was helping them get their freeplay. He presented a total of 15 cards that he had in his possesion. 4 belonged to him specifically, where the other 11 belonged to misc other patrons.

S3 Allen retrieved the 11 cards from Mr. Davidson and then proceeded to escort him out of the casino through the C1 casino exit. Mr. Davidson was informed that he was being excluded from the casino for the day but he was to speak with management before returning. Surveillance was informed of Mr. Davidson's departure from the casino.

Cards:

Jigmore Ogleste	r DOB:0	#270667
Daniel Vega	DOB:	#557251
Roberto Portela	DOB:	#579087
Yuleyvi Cardena:	s Herna	
	DOB:	#296596
Elizabeth Hernar	ndez	
	DOB:	#470595
Xazier Brookins	DOB:	#116677
Nehemy Derine	DOB:	#395719
Michelle Sanchez	DOB:	#551433
Cards w/no inf	0:	
Emanuel/Elm		
Leonard/Leo		
Francis		

UPDATE: On 9/12/2024 Mr. Davidson was Permanently Trespassed from Casino Miami by Management due to above incident.

Addendums

Jorge Callejas 13298951 - 09/12/2024 19:02

On 9/12/2024 Mr. Davidson was Permanently Trespassed from Casino Miami by Management due to above incident.

Signature /	4
-------------	---

Date

Signature B

Date

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

MiAMi

CMJ-000014016 - Surv-Permanent Casino Exclusion Report - Reported 09/06/2024 17:54

Author: Donald Gracia 13012734

Report Number: CMJ-000014016

Start Time: 09/06/2024 17:48

End Time: 09/06/2024 17:48

Report Group: Surveillance Reports

Report Type: Surv-Permanent Casino Exclusion Report

Note: Perm-Exclusion Patron, Davidson St-Phard - was escorted out by Security Supervisor, Dontrell Rashaurd Allen aftere surveillance identified him using a players club card, that did not belong to him at slot machine FN-05

Location / Origin: Incident-Missing Free Play or Club Card

Camera: 510

Narrative

Patron, Davidson St-Phard - was escorted out by Security Supervisor, Dontrell Rashaurd Allen aftere surveillance identified him using a players club card, that did not belong to him at slot machine FN-05

At 17:39 hours surveillance observed Patron, Davidson St-Phard with multipul players club card at slot machine FN-05

At 17:43 hours surveillance observed Security Supervisor, Dontrell Rashaurd Allen speaking to Mr St-Phad and taking the the multiple playerclub cards

At 14:48 hours surveillance observed Security Supervisor, Dontrell Rashaurd Allen escorting Patron, Davidson St-Phard out of casino at C1

This report was written by Surveillance Supervisor Donald Gracia 13012734

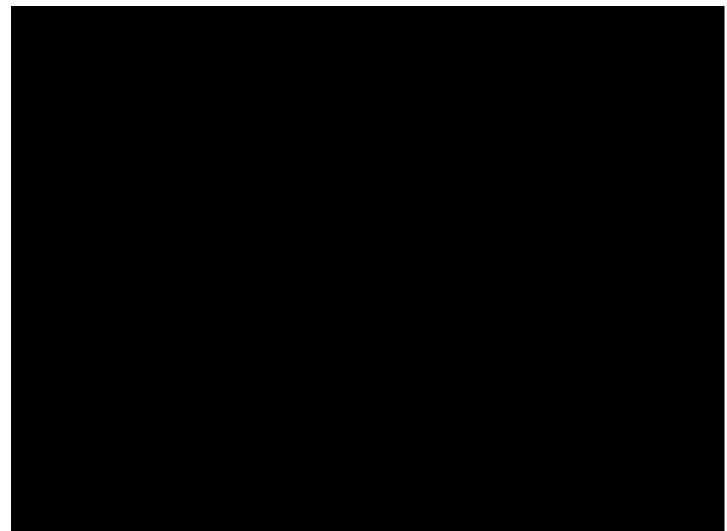
This report was approved by Surveillance Director, William Hutcheson # 7874265.

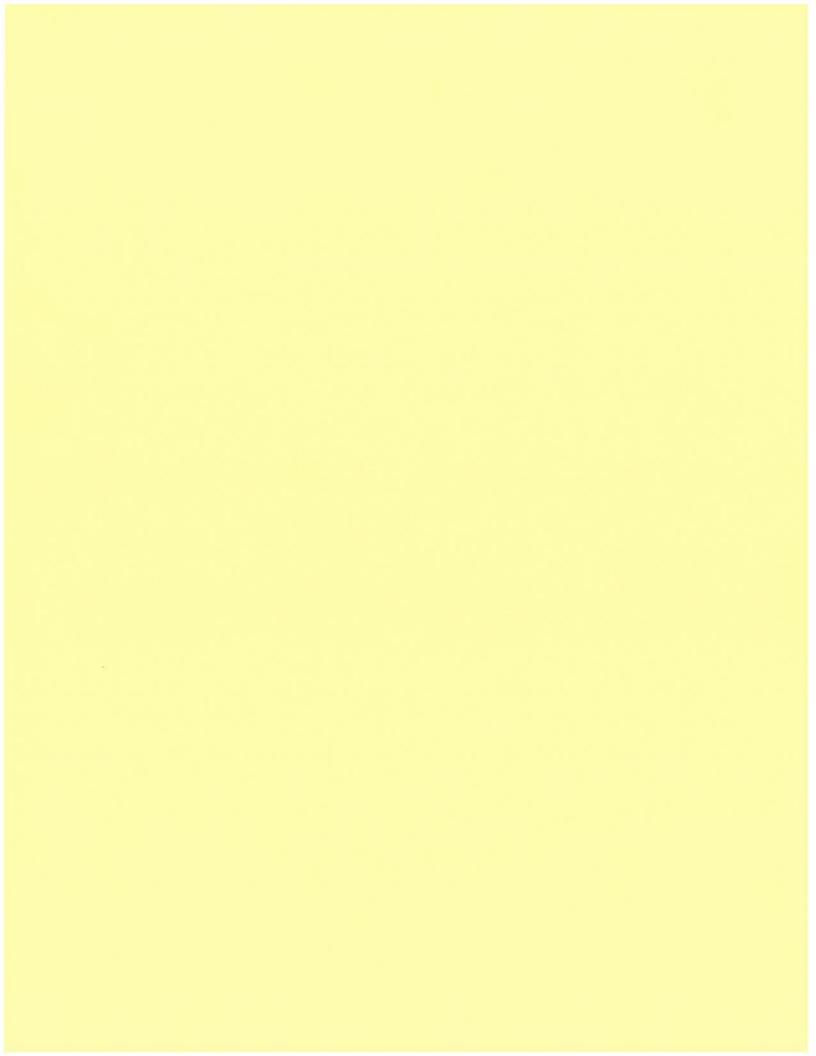
Signature A

Date

Signature B

Date





MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Emily Alvarado, Chief Attorney
Re:	FGCC v. Omar Castro, Jr.
	Case Number 2024-060176; Default Final Order
Date:	January 30, 2025

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") served the Respondent, Omar Castro, Jr. ("Respondent"), with an administrative complaint seeking to exclude him from all pari-mutuel facilities in the state of Florida. Respondent failed to timely respond to the administrative complaint and thereby waived his right to request a hearing contesting this matter. The Division requests that the Florida Gaming Control Commission enter a final order permanently excluding Respondent from all pari-mutuel facilities in the state of Florida.

Background

On September 28, 2024, Respondent was a patron at Bonita-Ft Myers Corp. Wholly Subsidiary of Southwest Florida Enterprises, Inc. d/b/a/ Bonita Springs Poker Room¹. Subsequently, Respondent was ejected and permanently excluded from the facility.² The reason for the ejection is included as Exhibit 1 of the administrative complaint.

Based on Respondent's ejection from Bonita Springs Poker Room, the Division filed an administrative complaint on December 17, 2024, seeking his exclusion from all pari-mutuel 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 December 21, 2024, which means the Respondent had until January 11, 2025, to respond. He has never responded.

¹ Bonita Springs Poker Room is operated by a permitholder authorized to conduct pari-mutuel wagering and cardroom operations in the state of Florida.

² Pari-mutuel permitholders have the right to exclude patrons. § 550.0251(6), 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

Florida law allows for the exclusion of Respondent from all pari-mutuel facilities in the state.

Section 550.0251(6), Florida Statutes, provides 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."

Therefore, Respondent's ejection Bonita Springs Poker Room – which is a parimutuel licensee in this state – subjects him to exclusion from all pari-mutuel facilities in this state.

Moreover, Respondent failed to file a timely response to the Division's administrative complaint and has thus waived his right to request a hearing on the matter.

<u>Staff Recommendation</u>: The Division recommends that the Florida Gaming Control Commission enter a final order permanently excluding the Respondent, Omar Castro, Jr., from all pari-mutuel facilities in the state of Florida.

	FILED
ELORIDA GA	MING CONTROL COMMISSION
Date:	12/17/2024
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.

OMAR CASTRO, JR.,

Respondent.

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Omar Castro, Jr. ("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.

At all times material hereto, Respondent's address was reported as 27840
 Wisconsin Street, Bonita Springs, Florida 34135.

3. At all times material hereto, Bonita-Ft Myers Corp. Wholly Subsidiary of Southwest Florida Enterprises, Inc. d/b/a/ Bonita Springs Poker Room was a facility operated by a permitholder authorized by the Commission to conduct pari-mutuel wagering, and cardroom operations in the state of Florida.

4. On or about September 28, 2024, Respondent was a patron of Bonita-Ft Myers Corp. Wholly Subsidiary of Southwest Florida Enterprises, Inc. d/b/a/ Bonita Springs Poker Room.

FGCC Case No.: 2024-060176

5. On or about September 28, 2024, Respondent was ejected and permanently

excluded from Bonita-Ft Myers Corp. Wholly Subsidiary of Southwest Florida Enterprises, Inc.

d/b/a/ Bonita Springs Poker Room.

- 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. <u>The commission may exclude from any pari-mutuel facility within this state any person</u> 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 added).

8. Based on the foregoing, Respondent is subject to exclusion from all licensed parimutuel wagering facilities in the state of Florida under section 550.0251(6), Florida Statutes based on his ejection from Bonita-Ft Myers Corp. Wholly Subsidiary of Southwest Florida Enterprises, Inc. d/b/a/ Bonita Springs Poker Room on or about September 28, 2024.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities in the state of Florida, in accordance with section 550.0251(6), along with any other remedy provided by chapter 550, Florida Statutes, and/or the rules promulgated thereunder. This Administrative Complaint for FGCC Case Number 2024-060176 is signed this 11th

day of December 2024.

/s/Justin Hundersmarck

Justin Hundersmarck Senior Attorney FBN: 1039038 Florida Gaming Control Commission Office of the General Counsel Division of Pari-Mutuel Wagering 4070 Esplanade Way, Suite 250 Tallahassee, Florida 32399-2202 Telephone: (850) 794-8063 Facsimile: +1 (850) 536-8709 Primary: Justin.Hundersmarck@flgaming.gov Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS TO REQUEST A HEARING

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

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

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



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Louis Trombetta, Executive Director

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Respondent: CASTRO, OMAR 27840 WISCONSIN STREE BONITA SPRINGS, FL. 34 License # and Typ N/A / 1098 Period of October 1, 2020 Alleged Violation: FSS 55 certain persons from any factor	135 pe: Investigatio 4-October 30 51.112 Excl acility of a slot achine licens	P n: 0, 2024 lusions of certa	C D O 14 F	omplainant: IVISION OF PA FFICE OF INVE 400 W. COMME T. LAUDERDAL	RCIAL BLVD. SUITE #165	
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27840 WISCONSIN STREE BONITA SPRINGS, FL. 34 License # and Typ N/A / 1098 Period of October 1, 202 Alleged Violation: FSS 55 certain persons from any factors	135 pe: Investigatio 4-October 30 51.112 Excl acility of a slot achine licens	P n: 0, 2024 lusions of certa	0 14 F	FFICE OF INVE 400 W. COMME T. LAUDERDAL ion:	ESTIGATIONS RCIAL BLVD. SUITE #165 _E, FL. 33309 Report Date:	
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Period of October 1, 202 Alleged Violation: FSS 55 certain persons from any fa	4-October 3 51.112 Excl acility of a slot achine licens	n: 0, 2024 lusions of certa		n	October 30, 2024	
October 1, 202 Alleged Violation: FSS 55 certain persons from any fa	4-October 3 51.112 Excl acility of a slot achine licens	0, 2024 lusions of certa				
certain persons from any fa	cility of a slot achine licens				Type of Report: FINAL	
Alleged Violation: FSS 551.112 Exclusions of certain persons. — 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 in this 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.						
Synopsis : On September 28, 2024, at approximately 1:34 P.M., Patrons Omar Gutierrez and Omar CASTRO were involved in a dispute over money at the Bonita Springs Poker Room (BSPR). As Gutierrez exited the facility and walked to the parking lot towards his vehicle, he was confronted by CASTRO . The dispute escalated into violence when CASTRO stabbed Gutierrez 10 times in the abdomen with a knife. Based on this incident it was determined by BSPR management that CASTRO be permanently excluded from the facility.						
Related Case(s): 2024-06-0						
Investigations Specialist II	/ Date : 10/	31/24 Inv	estig	ations Manager	· / Date:	
Lisa Vila / Tyrell Smith / November 1, 2024						
Chief of Investigations / E	Date	· _ · •				
Bractore D. Jones November 13, 2024						

CONTINUATION

Upon further investigation contact was made with Bonita Springs Poker Room (BSPR) Director of Security, Ken Jones who advised the following.

On Saturday, September 28, 2024, at approximately 1:34 P.M., Bonita Springs Poker Room (BSPR) Security was requested by Banker Supervisor Bob Spencer, to respond to the parking lot in reference to a dispute between two male subjects.

As Security was approaching the individuals, one of the involved patrons who was later identified as Omar Gutierrez, called for assistance stating that he had been stabbed. Gutierrez was observed clutching the left side of his abdomen. As Security approached Gutierrez, blood and what appeared to be internal organs were visible to the lower abdominal area. The other male patron later identified as Omar **CASTRO**, was observed with a knife in his hand and he was instructed to drop the weapon by Security. **CASTRO** stated that he was struck first by Gutierrez and then threw the knife in the grass.

Gutierrez entered his car and attempted to leave; however, he was unable to drive due to his injuries. Gutierrez received assistance by BSPR staff and a retired paramedic bystander visiting the facility until on-duty County Paramedics arrived.

Lee County Sheriff's Office (LCSO) deputies and LCSO Fire Rescue were called by Security and responded to the scene **(EXHIBIT # 4).** It was later learned that Gutierrez underwent surgery for his injuries and was able to speak to LCSO detectives after he had recovered.

Gutierrez explained that **CASTRO** owed him money and he knew that **CASTRO** was playing cards at BSPR. He then responded to the facility and waited for him to exit. When **CASTRO** entered the parking lot, Gutierrez parked his vehicle directly in front of **CASTRO'S** vehicle to block him in the parking space. He then demanded the money that was owed to him, and **CASTRO** refused to pay back the money. The argument then escalated, and Gutierrez attempted to punch **CASTRO**. As a result, **CASTRO** responded by stabbing Gutierrez in the abdomen numerous times.

Castro was also interviewed by LCSO Detectives. Following issuance of his Miranda rights **CASTRO** advised that he was confronted by Gutierrez in the parking lot at BSPR demanding the money he owed him (proceeds from the sale of illegal narcotics). **CASTRO** further explained that although he sold the drugs for Gutierrez and made "a few thousand dollars" he never gave any of the money to him. At the end of the interview **CASTRO** was arrested and charged with Aggravated Battery with a deadly weapon.

This Investigator received a copy of the surveillance video of the incident from BSPR which showed both Gutierrez and **CASTRO** in the parking lot arguing and then the stabbing. The surveillance footage was uploaded into Llama and marked as evidence. The Property Receipt is assigned as **EXHIBIT # 2**.

After a BSPR management review of the incident and conduct of the involved individuals, they both were permanently excluded from the facility (EXHIBIT # 3).

Conclusion: Due to the violent nature of the incident, it is recommended that **CASTRO** be considered for Statewide exclusion.

Status: Case closed by Investigations and forwarded to Legal for review.

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	INVESTIGATIVE REPORT COVERSHEET					
П.	INVESTIGATIVE REPORT					
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	3. BSPR Notice of Exclusion-CASTRO1-1					
	4. LCSO Police Reports1-4					
	5. VERSA Printout1-2					

Contraction of the second		Inciden	t Re	port	
Report # 24-120	Occurred: Dat	e: 09/28/24		Time: 13	34
Type of Incident: Felonic	Location: Parl	king Lo	t		
Name: Omar Gutierre	z	SSN:			DOB:
Address:		City/Sta	te/Zip		
Affiliation: 🗌 Employee 📗	Patron Vendor	Involvement:	RP/V	Witnes	s 🗌 Suspect
Phone:	Other:				
Name: Omar Castro	Ir	SSN:			DOB
Address: 27840 Wisco	onsin St	City/Sta	te/Zip Bo	nita Sprin	ngs, FL 34135
Affiliation: 🗌 Employee		Involvement:			
Phone:	Other:				
Name:	SSN:	SSN: DOB:			
Address:		City/Sta	City/State/Zip		
Affiliation: Employee	Patron Vendor	Involvement:	RP/V	Witnes	s Suspect
Phone:	Other:		_		
Alcohol Involved? Yes	No Ejected?	Yes No	Trespas	s Warning?	Yes No
Law Enforcement involved		ficer: Ferguson			^{t#} 24-498014
At 1337 I received a ph an argument in the part hat two men had been wo men fighting and I y eft (Omar Gutierrez) to He was clutching his rig velled twice to drop the dentified as Omar Cast saying the stab victim h is name was Omar and which appeared to be b drove out of the parking Seccom along with Age at 1339. I was met by o o Gutierrez's wounds	ting lot. I hung up a arguing for 10 min velled to stop. They irned toward me a th side and his guint knife that I now sa tro Jr). Castro toss ad attacked him and the stab victim inn locking in Castro' I lot, attempting to ont Viles who stave ur EMS	and went outsid outes and might y immediately d nd yelled for he ts were falling o w in the other o ed the knife in the nediately move s black Ram 1 make a left bef d with Castro. S and a bystar ad been stabbe	le to men fight. As lid and the lp, sayin but. I tool gentiema he grass a head. I d toward 500. Gu ore stop Seccom nder also d severa	et Spence s I got clo he Hispar ig he had k a step f an' s har s and too He said th ds his whi tierrez go ping. I ha called for o assisted al times in	er who added ser I saw the bic male on the been stabbed orward and d (later k a step back be other male' te Honda of in his car an d called it in to an ambulanc I with tending the chest and
1 1 1 0 0 0 1	aramedics arrived	on scene at 13	45. Vide	o footage	was saved
abdomen. LCSO and pa and a separate injury re Agent's Signature:				Reviewed	

EXHIBIT # PAGE #

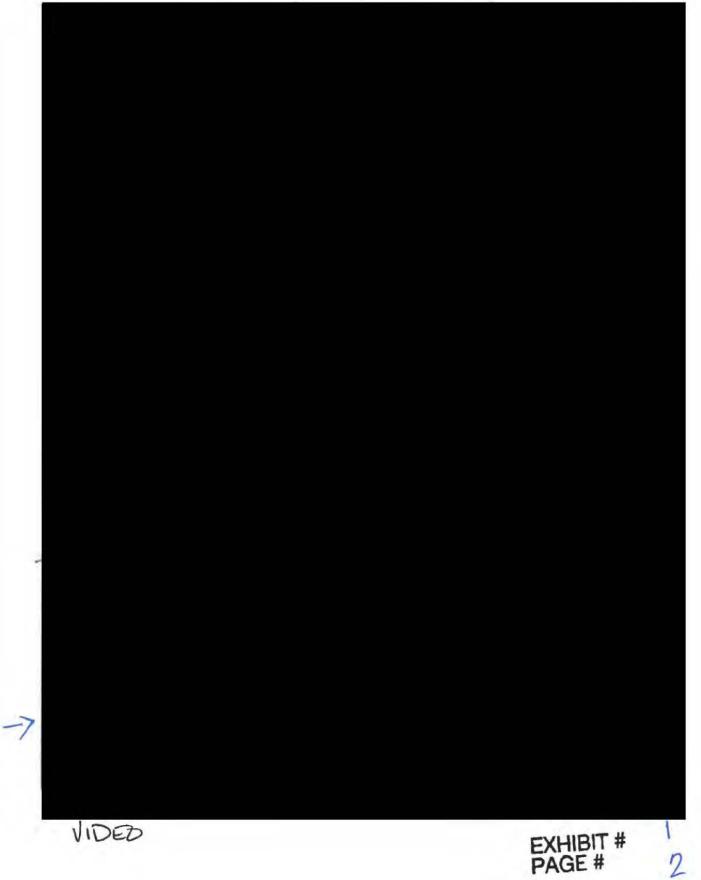
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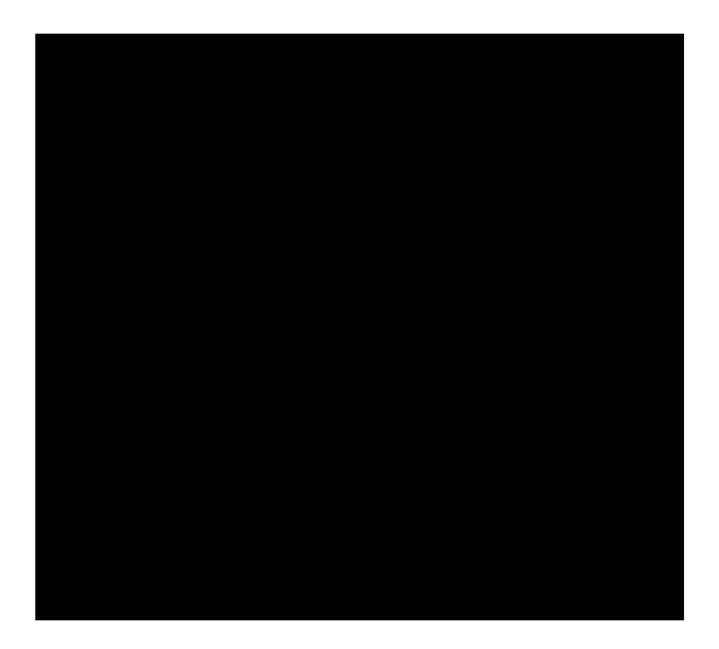
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09/08/20 kcj



FIRST RESPONDER REPORT







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2/15/2022 kcj



WITNESS STATEMENT



[# |¹ 4

24-12D LEE COUNTY SHERIFF'S OFFICE SWORN AFFIDAVIT

COUNTY OF LEE STATE OF FLORIDA

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TIIISDAY OF20		
	EXHIBIT # PAGE #	-1
NOTARY PUBLIC/ DEPUTY SHERIFF STGTEP		5

LCSO Form 74 (03/24/2020 ALimardo 15-082)

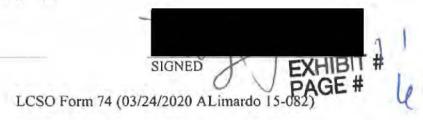
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LEE COUNTY SHERIFF'S OFFICE SWORN AFFIDAVIT COUNTY OF LEE STATE OF FLORIDA

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THIS DAY OF 20

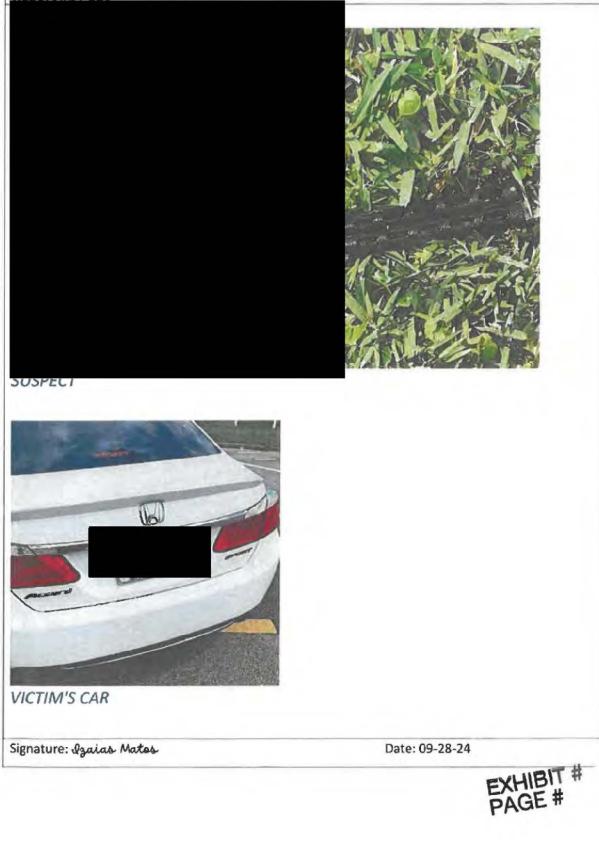
NOTARY PUBLIC/ DEPUTY SHERIFF





INCIDENT REPORT CONTINUATION

Report #24-120





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

PROPERTY RECEIPT

Complaint#	2024	-06076	Date	10/10/24	Lab #	

Item No.	Quantity	Description
1	1	BSPR- 9-28-2024 footage stabbing
	· · · · · · · · ·	

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

RETURNED PROPERTY RECEIPT

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

	Signature	Date
Received by: Received by: Received by: Copies for: File, Transmittal, Laborato	Date: Date: Date: Date:	EXHIBIT # 2 PAGE #
Form DBPR 11-75 (Revised 01/04)		

			NOTICE OF	EXCLUSION
T Name CASTRO		First Name	NAR J	• Mi
DONTIA SPRE	CADALSEN .	State FL State	Zip 34135 Expires	
18	Sex A.A.	Race	Hgt	1.30.31

You are hereby ordered to leave the premises and are not to reenter until written permission is obtained by the Director of Security authorizing your return. If you are observed on the premises of the Bonita Springs Poker Room prior to being reinstated you are subject to prosecution for violation of applicable provisions of Florida State Statutes of Chapter 810 prohibiting Trespass. Denial of access complies with applicable laws and is not based on race, creed, color, sexual orientation, or national origin.

You may only appeal this decision and request reinstatement by contacting the **Director of Security** at (239)-949-3500

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Issuing Authority	Pasition	SETSE OF SECURITY
040821 kcj	1	EXHIBIT # 3

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PROBABLE CAUSE STATEMENT

	1 Oftense 1 Juvenie 1 Organa 1 2 Arrest 2 Supplement 1
ADM	Agency DRI Number Agency DRI Number Agency Report Number F L 0 3 6 0 0 0 Lee County Sheriff 2 4 - 4 9 8 0 1 4
AD	Original Date Reported Case Reference CLERK CASE NUMBERS 0 9 2 8 2 4 CASTRO, OMAR 24CF017347
	On September 28, 2024, the Lee County Sheriff's Office responded to 28010 Race Track Rd, Bonita Springs. FL, 34134, in reference to an aggravated battery with a deadly weapon. Upon arrival at the location, Deputy Ferguson and Deputy Serrano were flagged down and located a male, the victim, sitting inside a white Honda Accord, suffering from multiple stab wounds.
	Deputies were further advised that the potential suspect was nearby. The suspect was detained by deputies and placed into a patrol car.
	Due to the nature of the incident, Detective Kleman and Detective Schilke of the Violent Crimes Unit responded and assumed control of the investigation.
	The victim was transported to the Gulf Coast Medical Center and underwent surgery when he arrived. Detective Kleman responded to the hospital after the victim was out of surgery and obtained an audio-recorded statement. The victim told Detective Kleman that the suspect owed him money and he had been trying to collect the money from the suspect for several months. He stated he saw the suspect's vehicle parked at the address mentioned above, which is a gambling establishment. The victim stated he saw the suspect exit the building, so he contacted him in the parking lot and confronted him about the money he owed. The victim said he got into a physical fight with the suspect after the suspect said he was not going to pay him any money. The victim said the suspect took a fighting stance and engaged in a fight. During the fight, the victim said he looked down at his stomach and noticed he was heavily bleeding and his intestines were protruding out of his stomach. The victim said his adrenaline was rushing, but he knew that he had been stabbed several times. The victim said he panicked when he saw the extent of his injuries, so he got back in his car to drive himself to the hospital. After only driving for a brief moment, the victim said he started to lose consciousness, so he stopped driving. After stopping his car, the victim said he remembered people approaching him and then waking up in the hospital.
NOLLA	The victim told Detective Kleman that he wanted to pursue charges and signed a desire to prosecute. The victim told Detective Kleman he had been friends with the suspect his whole life and positively identified the suspect through a single photo verification.
NARRATIVE / CONTINUATION	The suspect was transported to the Lee County Sheriff's Office headquarters at 14750 Six Mile Cypress Parkway, Fort Myers, FL. Detective Kleman arrived at headquarters and advised the suspect of his Miranda Rights from an agency-issued pre-text card. The suspect confirmed he understood his rights and wanted to speak to Detective Kleman. The suspect told Detective Kleman that the victim was arrested earlier in the year and that the victim asked him to sell drugs to make him money. He said he had known the victim since he was in middle school. The suspect said the victim told him where he had drugs inside his car, so he recovered the drugs and sold them. The suspect said he made a few thousand dollars selling the drugs but never gave any of the money to the victim. The suspect stated the victim had been bothering him for several months, trying to get money from him. The suspect told Detective Kleman he saw the victim drive up to him in a white Honda while he was leaving the Poker Room today, September 28, 2024. When the suspect saw the victim, he said the victim was asking him about the money and getting angry. The suspect told Detective Kleman that the victim attempted to punch him but missed. After this, the victim said he engaged in a fight with the victim and stabbed him several times with his butterfly knife. He said he did not want to stab the victim, but he was scared and trying to defend himself. The victim told Detective Kleman that he never saw the victim armed with any weapons.
	While processing the scene, a video from the Poker Room that captured the fight in the parking lot was recovered. The video corroborated the events the suspect and victim described to Detective Kleman. The knife used in the incident was located at the scene and collected as evidence.
	Based on the investigation in its entirety, video evidence, recovered knife, the suspect admitting to stabbing the victim, injuries sustained by the victim requiring hospitalization and surgery, Detective Kleman finds sufficient probable cause to arrest the suspect for violation of FSS 784.054(1a2) Aggravated battery with a deadly weapon.
	Report Contains Refair EXHIBIT # Officer(s) Reporting ID. Number(s) Troop PAGE # Da
	Report Contains Refer to Contains Officer(s) Reporting D. Number(s) Froop PAGE # Da
	KLEMAN, ROBERT 2022038
	FORAKER, DAVID 2012119
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HSMV 60011



LEE COUNTY SHERIFFS OFFICE Public Information Report

ORI : FL0360000

Print Date : 10/23/2024





Incident ID : 24-498014

Print Date : 10/23/2024

Page 2 of 2

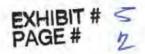
Title :	
Narrative :	On Saturday, September 28th, 2024, Deputy Ferguson and Deputy Serrano were assigned to work marked uniform patrol 4th Precinct for the Lee County Sheriff's Office, Lee County Florida, Deputies were dispatched to 28010 Race Track Rd, Bonita Springs, Florida, 34135 in reference to a stabbing.
	Deputies arrived on the scene and immediately were flagged to a white in color Honda Accord with license plate number Deputies made contact with the driver of the vehicle who appeared to have multiple stab wounds. Deputies began to assist and render aid until relieved by Emergency Medical Services.
	Deputies were further advised that the potential suspect was nearby. The suspect was detained by deputies an placed into a patrol car.
	Due to the nature of the call Violent Crimes Detectives Kleman and Schilke responded and assumed the investigation.
	Watch Commander K. Day and Sergeants B. Barringer and F. Pooser were on the scene.
	A crime scene log was completed.
	The vehicle was removed from the scene by G and C Towing.

EXHIBIT #

VR Home	Inbox	Entity	Application	License	Cash	Exan	Inspection	Enforce	ment	Report
Complaint S Update	Search Mass Statu		ecording License Public Case Ir		elete Comp	laint	Mass Activity	Update	Mas	ss Discipline
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	SR - So	uthern				L	Costs	1.	-	
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Reference	550.025	1(6)				F	Attachments			Story
Entered	10/21/20	024	Entered	By cstub	bs1	-	Work Notes		Print	Report
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10/21/2024

	previous conduct of the involved combatants, they were permanently excluded from the facility. Due to the violent nature of the incident, it is recommended that Castro be considered for Statewide exclusion.								
Updated	10/21/2024 14:17:34	By cstub	bs1						
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https://vrprod12c.dbpr.state.fl.us/le5/faces/jsp/enforcement/NF12MaintainComplaint.jsp 10/21/2024

U.S. Postal Service **CERTIFIED MAIL**TM RECEIPT **D** (Domestic Mail Only; No Insurance Coverage Provided) ц, For delivery information visit our website at www.usps.com . Nars **~** 12.17.3024 Postage \$ **Certified Fee** LI, Postmark Return Receipt Fee (Endorsement Required) Here Restricted Delivery Fee (Endorsement Required) 22 E. Castro, Omar 27840 Wisconsin Street 7006 Bonita Springs, FL 34135 AC -2024060176- PMW

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ALERT: USPS WILL RESUME MAIL SERVICE TO CANADA ON MONDAY, JANUARY 6, 2025. REA...

ALERT: MAJOR WINTER STORM FROM CENTRAL PLAINS THROUGH MID-ATLANTIC U.S. MAY ...

USPS Tracking[®]

Tracking Number:



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

Latest Update

Your item was delivered to an individual at the address at 3:26 pm on December 21, 2024 in BONITA SPRINGS, FL 34135.

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Delivered Delivered, Left with Individual BONITA SPRINGS, FL 34135 December 21, 2024, 3:26 pm

See All Tracking History

What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates	\checkmark
USPS Tracking Plus®	\sim
Product Information	\checkmark

Remove X

FAQs >

Feedback

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Louis Trombetta, Executive Director

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Respondent: CASTRO, OMAR 27840 WISCONSIN STREE BONITA SPRINGS, FL. 34 License # and Typ N/A / 1098 Period of October 1, 2020 Alleged Violation: FSS 55 certain persons from any factor	135 pe: Investigatio 4-October 30 51.112 Excl acility of a slot achine licens	P n: 0, 2024 lusions of certa	C D O 14 F	omplainant: IVISION OF PA FFICE OF INVE 400 W. COMME T. LAUDERDAL	RCIAL BLVD. SUITE #165
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certain persons from any fa	cility of a slot achine licens				Type of Report: FINAL
Alleged Violation: FSS 551.112 Exclusions of certain persons. — 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 in this state for a slot machine licensee in this state or who has been excluded from any 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.					division may exclude any person ald constitute, if the person were may exclude from any facility of f a slot machine licensee in this see or gaming facility in another exercising regulatory jurisdiction
Synopsis : On September 28, 2024, at approximately 1:34 P.M., Patrons Omar Gutierrez and Omar CASTRO were involved in a dispute over money at the Bonita Springs Poker Room (BSPR). As Gutierrez exited the facility and walked to the parking lot towards his vehicle, he was confronted by CASTRO . The dispute escalated into violence when CASTRO stabbed Gutierrez 10 times in the abdomen with a knife. Based on this incident it was determined by BSPR management that CASTRO be permanently excluded from the facility.					
Related Case(s): 2024-06-0					
Investigations Specialist II	/ Date : 10/	31/24 Inv	estig	ations Manager	· / Date:
Lisa Vila /			rell S	mith / Novem	iber 1, 2024
Chief of Investigations / E	Date	· _ · •			
Bradford D. Jones November 13, 2024					

CONTINUATION

Upon further investigation contact was made with Bonita Springs Poker Room (BSPR) Director of Security, Ken Jones who advised the following.

On Saturday, September 28, 2024, at approximately 1:34 P.M., Bonita Springs Poker Room (BSPR) Security was requested by Banker Supervisor Bob Spencer, to respond to the parking lot in reference to a dispute between two male subjects.

As Security was approaching the individuals, one of the involved patrons who was later identified as Omar Gutierrez, called for assistance stating that he had been stabbed. Gutierrez was observed clutching the left side of his abdomen. As Security approached Gutierrez, blood and what appeared to be internal organs were visible to the lower abdominal area. The other male patron later identified as Omar **CASTRO**, was observed with a knife in his hand and he was instructed to drop the weapon by Security. **CASTRO** stated that he was struck first by Gutierrez and then threw the knife in the grass.

Gutierrez entered his car and attempted to leave; however, he was unable to drive due to his injuries. Gutierrez received assistance by BSPR staff and a retired paramedic bystander visiting the facility until on-duty County Paramedics arrived.

Lee County Sheriff's Office (LCSO) deputies and LCSO Fire Rescue were called by Security and responded to the scene **(EXHIBIT # 4).** It was later learned that Gutierrez underwent surgery for his injuries and was able to speak to LCSO detectives after he had recovered.

Gutierrez explained that **CASTRO** owed him money and he knew that **CASTRO** was playing cards at BSPR. He then responded to the facility and waited for him to exit. When **CASTRO** entered the parking lot, Gutierrez parked his vehicle directly in front of **CASTRO'S** vehicle to block him in the parking space. He then demanded the money that was owed to him, and **CASTRO** refused to pay back the money. The argument then escalated, and Gutierrez attempted to punch **CASTRO**. As a result, **CASTRO** responded by stabbing Gutierrez in the abdomen numerous times.

Castro was also interviewed by LCSO Detectives. Following issuance of his Miranda rights **CASTRO** advised that he was confronted by Gutierrez in the parking lot at BSPR demanding the money he owed him (proceeds from the sale of illegal narcotics). **CASTRO** further explained that although he sold the drugs for Gutierrez and made "a few thousand dollars" he never gave any of the money to him. At the end of the interview **CASTRO** was arrested and charged with Aggravated Battery with a deadly weapon.

This Investigator received a copy of the surveillance video of the incident from BSPR which showed both Gutierrez and **CASTRO** in the parking lot arguing and then the stabbing. The surveillance footage was uploaded into Llama and marked as evidence. The Property Receipt is assigned as **EXHIBIT # 2**.

After a BSPR management review of the incident and conduct of the involved individuals, they both were permanently excluded from the facility (EXHIBIT # 3).

Conclusion: Due to the violent nature of the incident, it is recommended that **CASTRO** be considered for Statewide exclusion.

Status: Case closed by Investigations and forwarded to Legal for review.

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	INVESTIGATIVE REPORT COVERSHEET
П.	INVESTIGATIVE REPORT
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	3. BSPR Notice of Exclusion-CASTRO1-1
	4. LCSO Police Reports1-4
	5. VERSA Printout1-2

Contraction of the second		Inciden	t Re	port	
Report # 24-120	Occurred: Dat	e: 09/28/24		Time: 13	34
Type of Incident: Felonic		Location: Parl	king Lo	t	
Name: Omar Gutierre	z	SSN:			DOB:
Address:	City/Sta	te/Zip			
Affiliation: 🗌 Employee 📗	Involvement:	RP/V	Witnes	s 🗌 Suspect	
Phone:	Other:				
Name: Omar Castro	Ir	SSN:			DOB
Address: 27840 Wisco	onsin St	City/Sta	te/Zip Bo	nita Sprin	ngs, FL 34135
Affiliation: 🗌 Employee		Involvement:			
Phone:	Other:				
Name:		SSN:			DOB:
Address:	City/Sta	City/State/Zip			
Affiliation: Employee	Patron Vendor	Involvement:	RP/V	Witnes	s Suspect
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Law Enforcement involved		ficer: Ferguson			^{t#} 24-498014
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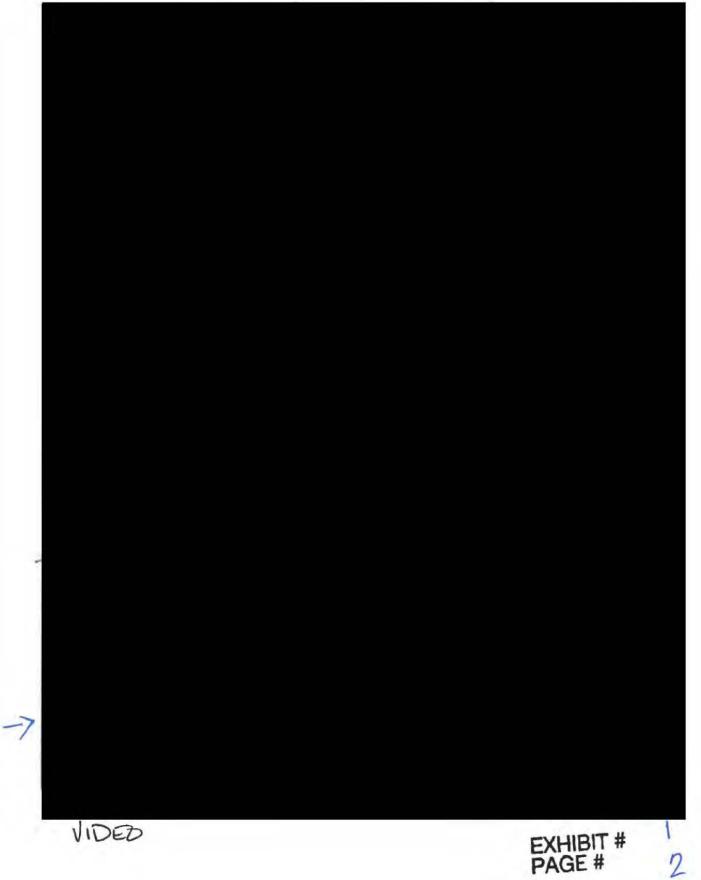
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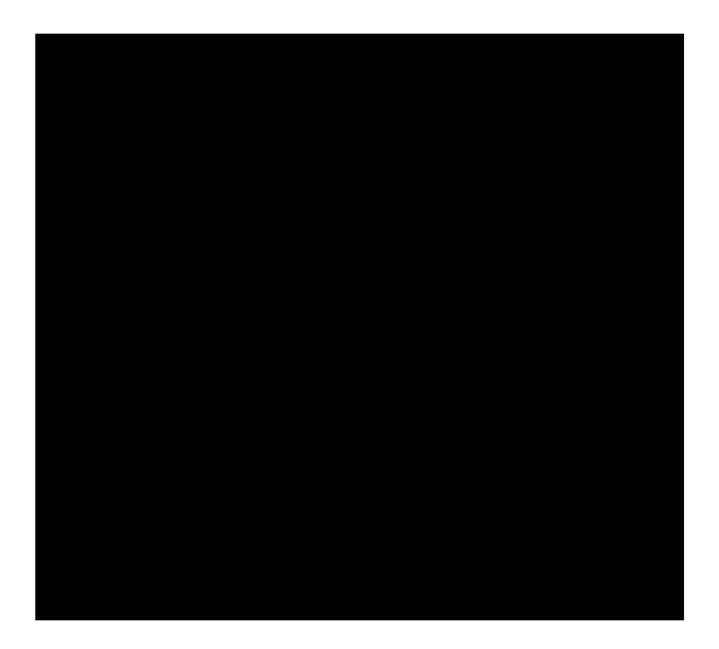
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09/08/20 kcj



FIRST RESPONDER REPORT







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2/15/2022 kcj



WITNESS STATEMENT



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24-12D LEE COUNTY SHERIFF'S OFFICE SWORN AFFIDAVIT

COUNTY OF LEE STATE OF FLORIDA

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LCSO Form 74 (03/24/2020 ALimardo 15-082)

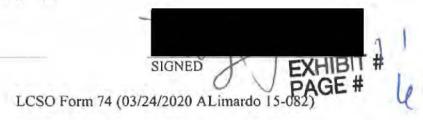
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THIS DAY OF 20

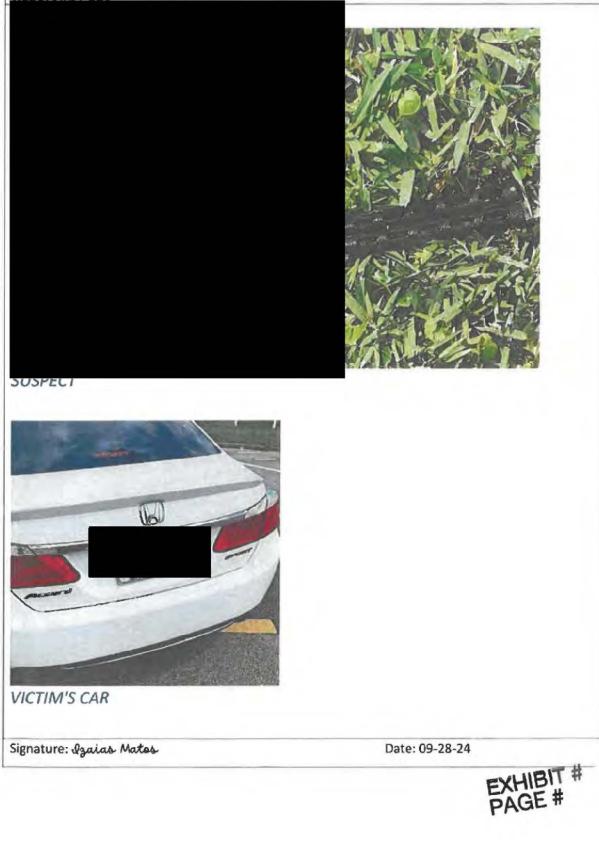
NOTARY PUBLIC/ DEPUTY SHERIFF





INCIDENT REPORT CONTINUATION

Report #24-120





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

PROPERTY RECEIPT

Complaint#	2024	-06076	Date	10/10/24	Lab #	

Item No.	Quantity	Description
1	1	BSPR- 9-28-2024 footage stabbing
	· · · · · · · · ·	

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

RETURNED PROPERTY RECEIPT

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

	Signature	Date
Received by: Received by: Received by: Copies for: File, Transmittal, Laborato	Date: Date: Date: Date:	EXHIBIT # 2 PAGE #
Form DBPR 11-75 (Revised 01/04)		

			NOTICE OF	EXCLUSION
T Name CASTRO		First Name	NAR JR	Mi
DONITA SPRIM	CADALISTIN .	State FL State	Zip 34135 Expires	
re	Sex A/A	Race	Hgt	-30-31

You are hereby ordered to leave the premises and are not to reenter until written permission is obtained by the Director of Security authorizing your return. If you are observed on the premises of the Bonita Springs Poker Room prior to being reinstated you are subject to prosecution for violation of applicable provisions of Florida State Statutes of Chapter 810 prohibiting Trespass. Denial of access complies with applicable laws and is not based on race, creed, color, sexual orientation, or national origin.

You may only appeal this decision and request reinstatement by contacting the **Director of Security** at (239)-949-3500

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PROBABLE CAUSE STATEMENT

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ADM	Agency DRI Number Agency Name Agency Report Number F L 0 3 6 0 0 0 Lee County Sheriff 2 4 - 4 9 8 0 1 4
AC	Orginal Date Reported CLERK CASE NUMBERS 24CF017347
	On September 28, 2024, the Lee County Sheriff's Office responded to 28010 Race Track Rd, Bonita Springs. FL, 34134, in reference to an aggravated battery with a deadly weapon. Upon arrival at the location, Deputy Ferguson and Deputy Serrano were flagged down and located a male, the victim, sitting inside a white Honda Accord, suffering from multiple stab wounds.
	Deputies were further advised that the potential suspect was nearby. The suspect was detained by deputies and placed into a patrol car.
	Due to the nature of the incident, Detective Kleman and Detective Schilke of the Violent Crimes Unit responded and assumed control of the investigation.
	The victim was transported to the Gulf Coast Medical Center and underwent surgery when he arrived. Detective Kleman responded to the hospital after the victim was out of surgery and obtained an audio-recorded statement. The victim told Detective Kleman that the suspect owed him money and he had been trying to collect the money from the suspect for several months. He stated he saw the suspect's vehicle parked at the address mentioned above, which is a gambling establishment. The victim stated he saw the suspect exit the building, so he contacted him in the parking lot and confronted him about the money he owed. The victim said he got into a physical fight with the suspect after the suspect said he was not going to pay him any money. The victim said the suspect took a fighting stance and engaged in a fight. During the fight, the victim said he looked down at his stomach and noticed he was heavily bleeding and his intestines were protruding out of his stomach. The victim said his adrenaline was rushing, but he knew that he had been stabbed several times. The victim said he panicked when he saw the extent of his injuries, so he got back in his car to drive himself to the hospital. After only driving for a brief moment, the victim said he started to lose consciousness, so he stopped driving. After stopping his car, the victim said he remembered people approaching him and then waking up in the hospital.
NOLLA	The victim told Detective Kleman that he wanted to pursue charges and signed a desire to prosecute. The victim told Detective Kleman he had been friends with the suspect his whole life and positively identified the suspect through a single photo verification.
NARRATIVE / CONTINUATION	The suspect was transported to the Lee County Sheriff's Office headquarters at 14750 Six Mile Cypress Parkway, Fort Myers, FL. Detective Kleman arrived at headquarters and advised the suspect of his Miranda Rights from an agency-issued pre-text card. The suspect confirmed he understood his rights and wanted to speak to Detective Kleman. The suspect told Detective Kleman that the victim was arrested earlier in the year and that the victim asked him to sell drugs to make him money. He said he had known the victim since he was in middle school. The suspect said the victim told him where he had drugs inside his car, so he recovered the drugs and sold them. The suspect said he made a few thousand dollars selling the drugs but never gave any of the money to the victim. The suspect stated the victim had been bothering him for several months, trying to get money from him. The suspect told Detective Kleman he saw the victim drive up to him in a white Honda while he was leaving the Poker Room today, September 28, 2024. When the suspect saw the victim, he said the victim was asking him about the money and getting angry. The suspect told Detective Kleman that the victim attempted to punch him but missed. After this, the victim said he engaged in a fight with the victim and stabbed him several times with his butterfly knife. He said he did not want to stab the victim, but he was scared and trying to defend himself. The victim told Detective Kleman that he never saw the victim armed with any weapons.
	While processing the scene, a video from the Poker Room that captured the fight in the parking lot was recovered. The video corroborated the events the suspect and victim described to Detective Kleman. The knife used in the incident was located at the scene and collected as evidence.
	Based on the investigation in its entirety, video evidence, recovered knife, the suspect admitting to stabbing the victim, injuries sustained by the victim requiring hospitalization and surgery, Detective Kleman finds sufficient probable cause to arrest the suspect for violation of FSS 784.054(1a2) Aggravated battery with a deadly weapon.
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LEE COUNTY SHERIFFS OFFICE Public Information Report

ORI : FL0360000

Print Date : 10/23/2024





Incident ID : 24-498014

Print Date : 10/23/2024

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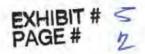
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	On Saturday, September 28th, 2024, Deputy Ferguson and Deputy Serrano were assigned to work marked uniform patrol 4th Precinct for the Lee County Sheriff's Office, Lee County Florida, Deputies were dispatched to 28010 Race Track Rd, Bonita Springs, Florida, 34135 in reference to a stabbing.
	Deputies arrived on the scene and immediately were flagged to a white in color Honda Accord with license plate number Deputies made contact with the driver of the vehicle who appeared to have multiple stab wounds. Deputies began to assist and render aid until relieved by Emergency Medical Services.
	Deputies were further advised that the potential suspect was nearby. The suspect was detained by deputies an placed into a patrol car.
	Due to the nature of the call Violent Crimes Detectives Kleman and Schilke responded and assumed the investigation.
ţ.	Watch Commander K. Day and Sergeants B. Barringer and F. Pooser were on the scene.
Ĝ	A crime scene log was completed.
	The vehicle was removed from the scene by G and C Towing.



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10/21/2024

	previous conduct of the involved combatants, they were permanently excluded from the facility. Due to the violent nature of the incident, it is recommended that Castro be considered for Statewide exclusion.									
Updated	10/21/2024 14:17:34	By cstub	bs1							
-	Change	Save	OK	Cancel	Back					



https://vrprod12c.dbpr.state.fl.us/le5/faces/jsp/enforcement/NF12MaintainComplaint.jsp 10/21/2024

4. Discussion of consent orders

MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Office of General Counsel
Re:	FGCC v. Stephen Glen Kirby Case No. 2024-015793
Date:	February 7, 2025

Executive Summary

On May 15, 2024, the Division of Pari-Mutuel Wagering filed an administrative complaint against Stephen Glen Kirby ("Respondent"), seeking the revocation of his Cardroom Employee Occupational License, number 13681126, based on: (i) the Respondent's disqualifying offense under section 849.086(6)(g), Florida Statutes; and (ii) Respondent's failure to timely notify the Commission of the arrest as required by Rule 75-11.011 of the Florida Administrative Code, and (iii) Respondent's failure to notify the Commission of the conviction as required by section 550.105(10), Florida Statutes. Respondent has requested to resolve this case in lieu of further litigation.

Background

On or about December 1, 2023, Respondent entered a plea of nolo contendere and was convicted of two counts of Petit Theft, Less than \$100, misdemeanors, in the Circuit Court of the Fourth Judicial Circuit in and for Duval County, Florida. Respondent failed to inform the Division of the conviction within 48 hours and failed to provide written notification of his arrest within 5 days.

At the December 5, 2024, meeting, the Commission rejected Respondent's offer to settle this matter in lieu of further litigation but authorized Commission staff to continue settlement negotiations. On January 9, 2025, the Office of the General Counsel sent Respondent a counteroffer, identified in the meeting materials as the FGCC Counteroffer. On February 5, 2025, Respondent furnished an executed FGCC Counteroffer. However, Respondent also submitted for the Commission's consideration a second counteroffer and mitigating evidence, which are collectively identified in the meeting materials as Kirby Counteroffer and Mitigation.

Analysis

Section 849.086(6)(g), Florida Statutes, provides that "[t]he division 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."

Pursuant to section 550.105(10)(d), Florida Statutes, each licensee shall inform the Commission, within 48 hours, "if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication." Section 849.086(6)(f), Florida Statutes, provides that "[t]he commission shall adopt rules regarding cardroom occupational licenses. The provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses."

Rule 75-11.011 of the Florida Administrative Code, states:

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

FGCC Counteroffer

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

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

Petitioner,

v.

STEPHEN GLEN KIRBY,

FGCC Case No.: 2024-015793

Respondent.

_____/

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (hereinafter the "Commission") and Stephan Glen Kirby (hereinafter "Respondent"), each individually, a "party," and collectively as "parties," hereby agree and stipulate as follows:

WHEREAS, the Commission has jurisdiction over this matter and Respondent; and

WHEREAS, on May 15, 2024, the Commission filed a three-count Administrative Complaint against Respondent, alleging that Respondent (i) is subject to revocation of his Cardroom Employee Occupational License, number 13681126 (the "License") pursuant to section 849.086(6)(g), Florida Statutes, based on Respondent's convictions of two counts of Petit Theft, a misdemeanor involving larceny; (ii) violated the requirements of section 550.105(10)(d), Florida Statutes, based on Respondent's failure to timely notify the Commission of the convictions within 48 hours; and (iii) violated Rule 75-11.011 of the Florida Administrative Code, based on Respondent's failure to timely notify the Commission within five days of the arrest (the "Administrative Complaint") and;

WHEREAS, the parties have negotiated and agreed that the best interest of all the parties will be served by a settlement of these proceedings in lieu of further litigation.

STIPULATION

NOW THEREFORE, in consideration of the mutual promises and recitals herein, the parties hereby agree and stipulate to the following:

1. All recitals herein are true and correct and are incorporated herein.

2. All parties agree that the above "whereas" clauses incorporated herein are binding findings of the parties.

3. The Commission is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

4. Each party has entered into the terms of this Stipulation and Consent Order voluntarily. Respondent is aware that he is entitled to the advice of counsel and has either sought the advice of counsel or, by execution of this Stipulation and Consent Order, is knowingly waiving the right to have the advice of counsel. Respondent acknowledges that the Commission has not made any promise, nor has it in any other way encouraged Respondent to enter into this Stipulation and Consent Order without the advice of counsel.

5. The parties acknowledge and agree that this Stipulation and Consent Order constitutes the final order in this case and that this Stipulation and Consent Order is enforceable under sections 120.69 and 849.086, and chapter 550, Florida Statutes, as final agency action.

6. Respondent, for itself and its related or resulting organizations, successors, transferees, attorneys, heirs, and executors or administrators, discharges the Commission and its agents, representatives, and attorneys, of and from all claims, demands, actions, causes of action,

suits, damages, losses and expenses of any and every nature whatsoever, arising out of or in any way related to this matter and the Commission's actions, including, but not limited to, any claims that were or may be asserted in any federal or state court or administrative forum, including any claims arising out of this agreement, by or on behalf of Respondent or its related or resulting organizations.

7. Each party shall bear its own costs and attorney's fees.

8. **CONDITIONS OF LICENSURE**. Respondent agrees to the conditions set forth in this Section 8. Respondent further agrees that if Respondent fails to timely comply with any of the conditions below, the License is immediately deemed surrendered by Respondent and will be canceled by the Commission. Respondent further agrees that if the License is canceled by the Commission for any reason set forth in this Section 8, Respondent shall be declared ineligible to apply for any license issued by the Commission under section 849.086, Florida Statutes, for a period of two (2) years. Respondent further agrees to waive any and all appeals and proceedings related to such cancelation and/or period of ineligibility to which he may be entitled, including, but not limited to, an informal proceeding under section 120.57(2), Florida Statutes, a formal proceeding under section 120.57(1), Florida Statutes, appeals under section 120.68, Florida Statutes, and declaratory and all writs of relief in any court or quasi-court of competent jurisdiction.

(a) **FINE**. Respondent agrees to and shall pay to the Commission the sum of **THREE THOUSAND DOLLARS (\$3,000.00)**. The payment shall be received by the Commission within thirty (30) days of filing of the Final Order Adopting the Settlement and Consent (the "Final Order") with the Commission. **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)**.

(b) **SUSPENSION**: Respondent agrees that the License shall be suspended by the Commission for a period of two weeks. This suspension shall commence on the date that the Final Order is filed with the Clerk of the Commission.

(c) **PROBATION**: For the time period that begins on the date of this Stipulation and Consent Order and ends on the last day of Respondent's licensure cycle immediately following Respondent's current licensure cycle, Respondent agrees to the following:

1. Respondent shall notify the Commission within forty-eight (48) hours of any arrest, indictment, or charge for any criminal offense.

2. Immediately upon Respondent's arrest, indictment, or charge for any criminal offense or charge for any administrative offense related to theft, the License is deemed surrendered by Respondent and will be canceled by the Commission.

9. Respondent must <u>mail the executed Stipulation and Consent Order to</u>: **the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Tallahassee, Florida 32399-1035, Attention: Emily Alvarado.**

10. By executing this Stipulation and Consent Order, the Respondent admits the allegations of fact and conclusions of law set forth in the Administrative Complaint. Nothing in this Stipulation and Consent Order shall be deemed to preclude the Commission from imposing a penalty against Respondent for any future act(s) or omission(s) constituting either a violation of Florida law or the Florida Administrative Code.

3. The parties acknowledge and agree that this Stipulation and Consent Order is subject to the approval of the Commission. The Stipulation and Consent Order will have no force or effect unless and until the Commission files a Final Order adopting this Stipulation and Consent

Order. Should this Stipulation and Consent Order be rejected, no statement made in furtherance thereof by Respondent may be used as direct evidence against Respondent in any proceeding.

4. Upon the Commission's adoption of this Stipulation and Consent Order, Respondent agrees to waive any and all appeals and proceedings relating to these proceedings to which it may be entitled, including, but not limited to, an informal proceeding under section 120.57(2), Florida Statutes; a formal proceeding under section 120.57(1), Florida Statutes; appeals under section 120.68, Florida Statutes; and declaratory and all writs of relief in any court or quasicourt of competent jurisdiction; and agrees to waive compliance with the form of the Final Order (findings of fact and conclusions of law) to which it may be entitled, provided, however, that this agreement shall not be deemed a waiver by either party of its right to judicial enforcement of the Stipulation and Consent Order.

5. Venue for any action brought to interpret, enforce, or challenge the terms of this Stipulation and Consent Order and its corresponding Final Order shall lie solely in the Circuit Court of Florida, in and for Leon County, Florida.

6. This Stipulation and Consent Order is executed by the parties for the purpose of avoiding further administrative action with respect to the matters addressed herein. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Stipulation and Consent Order. Should the Commission not accept this Stipulation and Consent Order, it is agreed that presentation to and consideration of this Stipulation and 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.

7. This Stipulation and Consent Order may be signed in counterparts, and copies shall be treated as original.

8. This Stipulation and Consent Order is binding upon all parties.

9. The parties agree that this serves as notice that the signed Stipulation and Consent Order will be placed on the next available Commission meeting. If Respondent would like to attend, Respondent is responsible for checking the Florida Gaming Control Commission website at https://flgaming.gov for the meeting materials, agenda, and contact information.

10. Respondent authorizes the Commission to correct any typographical errors or make any non-material changes to this Stipulation and Consent Order after it is signed.

[Signature pages to follow]

WHEREFORE, Respondent, STEPHEN GLEN KIRBY, requests that the Commission

enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this not day of January, 2025.

STEPHEN GLEN KIRBY Respondent

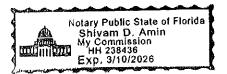
STATE OF	
COUNTY OF	DUVAL

The foregoing instrument was acknowledged before me, by means of \Box physical presence or \Box online notarization, this <u>27</u> day of <u>Tanaay</u>, 2025, by STEPHEN GLEN KIRBY, who is personally known to me or who produced the following as identification: <u>Ladiana</u>, <u>PL</u>

S. D/Ami

Notary Public

My commission expires: $3 \mid \omega \mid 26$



This Stipulation and Consent Order for the Florida Gaming Control Commission Case Number 2024-015793 is APPROVED for legal sufficiency this _____ day of ______, 2025.

> Emily Alvarado Chief Attorney The Florida Gaming Control Commission

Kirby Counteroffer and Mitigation



LOCKWOOD LAW FIRM

February 5, 2025

Via Electronic Mail (Elina.Valentine@flgaming.gov)

Florida Gaming Control Commission 4070 Esplanade Way Tallahassee, Florida 32399

&

Elina Valentine General Counsel Florida Gaming Control Commission 4070 Esplanade Way Tallahassee, Florida 32399

Re: FGCC v. Stephen Kirby; Case No. 2024-015793

Dear Members of the Commission and Ms. Valentine:

This correspondence is provided on behalf of Stephen Kirby to provide an explanation of our proposed revisions to the Stipulation and Consent Order. Before addressing these matters, we would like to thank the Commission for its willingness to authorize staff to continue settlement negotiations in this case. We recognize that this is a challenging case and sincerely appreciate the time and effort the Commission and its staff have put into this matter.

Before the Commission are two Stipulation and Consent Orders that have been signed by Mr. Kirby. The first Stipulation and Consent Order was prepared by Ms. Valentine at the Commission's direction following the closed session in January ("First Consent Order"). The second Stipulation and Consent Order is identical to the First Consent Order, except for certain revisions addressing what would happen to Mr. Kirby's license should he be arrested or charged, or should he allegedly fail to comply with the terms of the Stipulation and Consent Order ("Second Consent Order"). The Commission's packet also includes a redlined version of the Second Consent Order so that the Commission can identify the revisions. There are two revisions in the Second Consent Order, both of which are discussed below.

The first revision provides Mr. Kirby with the right to dispute in good faith whether he timely paid the fine or whether he complied with the suspension requirement. The First Consent Order does not provide Mr. Kirby with this right. Thus, under the First Consent Order, if, for example, Commission staff mistakenly determined that Mr. Kirby did not pay the fine timely, Mr. Kirby would lose his license without the opportunity to prove that he did, in fact, pay the fine timely. The revised language in paragraph 8. of the Second Consent Order simply provides Mr. Kirby with the right to dispute in good faith whether he complied with the terms of the order. This protects Mr. Kirby in the event that an error is made in determining whether Mr. Kirby fulfilled his suspension or timely paid his fine. We believe this is highly unlikely but are suggesting the

revision in an abundance of caution.

The second revision addresses the impact an arrest or charge will have on Mr. Kirby's license. The First Consent Order provides that should Mr. Kirby be arrested, charged with a crime, or charged with an administrative offense related to theft, his license will be immediately surrendered and canceled. Under the First Consent Order, Mr. Kirby would lose his license even if the charges were ultimately dismissed or he was wrongly arrested and never even charged with a crime. Our primary concern with the language is that an individual could falsely allege that Mr. Kirby did something illegal for the sole purpose of causing him to lose his license and livelihood and, even if the allegations were determined to be false and malicious, Mr. Kirby would still lose his license. We fully understand the purpose of the language and we support language that properly punishes Mr. Kirby for the actions at issue in this case. However, we respectfully suggest that Mr. Kirby should not lose his license based on malicious actions of third parties or false allegations.

To protect against this concern, we have prepared language in paragraph 8.(c)2. providing that Mr. Kirby would be immediately suspended upon being arrested, charged with a crime, or charged with an administrative offense related to theft. He would not be able to challenge the suspension and the suspension would remain in place until the charges are resolved. If he is found guilty, pleads no contest, or settles any charges, then his license would be surrendered and canceled. However, if the charges are ultimately dismissed, dropped, or he is not charged at all, then his license will be reinstated. In other words, if Mr. Kirby is found to have not committed the offense, he would be allowed to keep his license. We believe this language achieves the Commission's goal of ensuring that the public is protected while charges are pending, while also protecting Mr. Kirby against being punished unfairly.

As noted above, the revisions in the Second Consent Order are simply aimed at protecting Mr. Kirby's due process rights while ensuring the public is protected moving forward. It the Commission is so inclined, we would be grateful for the Commission to accept the Second Consent Order. However, if the Commission is not so inclined, Mr. Kirby has signed the First Consent Order and accepts all of the terms and conditions therein. He is thankful for the Commission's offer and prepared to comply with its terms.

Thank you again to the Commission and its staff for the time and effort put into this matter and we look forward to resolving this matter.

Sincerely,

T.J. Morton

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

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

Petitioner,

v.

STEPHEN GLEN KIRBY,

Respondent.

STIPULATION AND CONSENT ORDER

FGCC Case No.: 2024-015793

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (hereinafter the "Commission") and Stephan Glen Kirby (hereinafter "Respondent"), each individually, a "party," and collectively as "parties," hereby agree and stipulate as follows:

WHEREAS, Respondent holds a Cardroom Employee Occupational License, number 13681126 (the "License"); and

WHEREAS, the Commission has jurisdiction over this matter and Respondent; and

WHEREAS, on May 15, 2024, the Commission filed a three-count Administrative Complaint against Respondent, alleging that Respondent (i) was convicted of two counts of Petit Theft, a misdemeanor involving larceny; (ii) violated the requirements of section 550.105(10)(d), Florida Statutes, based on Respondent's failure to timely notify the Commission of the convictions within 48 hours; and (iii) violated Rule 75-11.011 of the Florida Administrative Code, based on Respondent's failure to timely notify the Commission within five days of the arrest (the "Administrative Complaint") and;

WHEREAS, the parties have negotiated and agreed that the best interest of all the parties will be served by a settlement of these proceedings in lieu of further litigation.

STIPULATION

NOW THEREFORE, in consideration of the mutual promises and recitals herein, the parties hereby agree and stipulate to the following:

1. All recitals herein are true and correct and are incorporated herein.

2. All parties agree that the above "whereas" clauses incorporated herein are binding findings of the parties.

3. The Commission is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

4. Each party has entered into the terms of this Stipulation and Consent Order voluntarily. Respondent is aware that he is entitled to the advice of counsel and has either sought the advice of counsel or, by execution of this Stipulation and Consent Order, is knowingly waiving the right to have the advice of counsel. Respondent acknowledges that the Commission has not made any promise, nor has it in any other way encouraged Respondent to enter into this Stipulation and Consent Order without the advice of counsel.

5. The parties acknowledge and agree that this Stipulation and Consent Order constitutes the final order in this case and that this Stipulation and Consent Order is enforceable under sections 120.69 and 849.086, and chapter 550, Florida Statutes, as final agency action.

6. Respondent, for itself and its related or resulting organizations, successors, transferees, attorneys, heirs, and executors or administrators, discharges the Commission and its agents, representatives, and attorneys, of and from all claims, demands, actions, causes of action,

suits, damages, losses and expenses of any and every nature whatsoever, arising out of or in any way related to this matter and the Commission's actions, including, but not limited to, any claims that were or may be asserted in any federal or state court or administrative forum, including any claims arising out of this agreement, by or on behalf of Respondent or its related or resulting organizations.

7. Each party shall bear its own costs and attorney's fees.

8. **CONDITIONS OF LICENSURE**. Respondent agrees to the conditions set forth in this Section 8. Respondent further agrees that if Respondent fails to timely comply with any of the conditions in (a) or (b) below, the License is immediately deemed surrendered by Respondent and will be canceled by the Commission. Respondent further agrees that if the License is canceled by the Commission for any reason set forth in this Section 8, Respondent shall be declared ineligible to apply for any license issued by the Commission under section 849.086, Florida Statutes, for a period of two (2) years. However, nothing herein waives Respondent's rights pursuant to sections 120.569 and 120.57, Florida Statutes, to dispute, in good faith, whether Respondent timely complied with any of the conditions in (a) or (b) below.

(a) **FINE**. Respondent agrees to and shall pay to the Commission the sum of **THREE THOUSAND DOLLARS (\$3,000.00)**. The payment shall be received by the Commission within thirty (30) days of filing of the Final Order Adopting the Settlement and Consent (the "Final Order") with the Commission. 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).

(b) **SUSPENSION**: Respondent agrees that the License shall be suspended by the Commission for a period of two weeks. This suspension shall commence on the date that the Final Order is filed with the Clerk of the Commission.

(c) **PROBATION**: For the time period that begins on the date of this Stipulation and Consent Order and ends on the last day of Respondent's licensure cycle immediately following Respondent's current licensure cycle, Respondent agrees to the following:

1. Respondent shall notify the Commission within forty-eight (48) hours of any arrest, indictment, or charge for any criminal offense.

2. Immediately upon Respondent's arrest, indictment, or charge for any criminal offense or charge for any administrative offense related to theft, the License is suspended pending the outcome of the proceeding. In the event the charge is dismissed or dropped, Respondent is found not guilty of the charge, or Respondent is not charged at all, the License shall be reinstated. In the event Respondent is found guilty or pleas nolo contendere to the charge, with or without an adjudication of guilty, or settles an administrative charge for any resolution other than dismissal of the charge, the License shall immediately be deemed surrendered by Respondent and canceled by the Commission. Respondent waives any and all appeals and proceedings related to the imposition of the immediate suspension and to the License surrender and cancelation to which he may be entitled, including, but not limited to, an informal proceeding under section 120.57(2), Florida Statutes, a formal proceeding under section 120.57(1), Florida Statutes, an administrative complaint under section 120.60(5), Florida Statutes, appeals under section 120.68, Florida Statutes, and declaratory and all writs of relief in any court or quasi-court of competent jurisdiction, except that Respondent retains the rights pursuant to sections 120.569 and 120.57, Florida Statutes, to dispute, in good faith, the sole issue of whether Respondent was found guilty

or pled nolo contendere to the charge, or settled an administrative charge for any resolution other than dismissal of the charge.

9. Respondent must <u>mail the executed Stipulation and Consent Order to</u>: **the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Tallahassee, Florida 32399-1035, Attention: Emily Alvarado.**

10. By executing this Stipulation and Consent Order, the Respondent admits the allegations of fact and conclusions of law set forth in the Administrative Complaint. Nothing in this Stipulation and Consent Order shall be deemed to preclude the Commission from imposing a penalty against Respondent for any future act(s) or omission(s) constituting either a violation of Florida law or the Florida Administrative Code.

11. The parties acknowledge and agree that this Stipulation and Consent Order is subject to the approval of the Commission. The Stipulation and Consent Order will have no force or effect unless and until the Commission files a Final Order adopting this Stipulation and Consent Order. Should this Stipulation and Consent Order be rejected, no statement made in furtherance thereof by Respondent may be used as direct evidence against Respondent in any proceeding.

12. Upon the Commission's adoption of this Stipulation and Consent Order, Respondent agrees to waive any and all appeals and proceedings relating to these proceedings to which it may be entitled, including, but not limited to, an informal proceeding under section 120.57(2), Florida Statutes; a formal proceeding under section 120.57(1), Florida Statutes; appeals under section 120.68, Florida Statutes; and declaratory and all writs of relief in any court or quasicourt of competent jurisdiction; and agrees to waive compliance with the form of the Final Order (findings of fact and conclusions of law) to which it may be entitled, provided, however, that this

agreement shall not be deemed a waiver by either party of its right to judicial enforcement of the Stipulation and Consent Order.

13. Venue for any action brought to interpret, enforce, or challenge the terms of this Stipulation and Consent Order and its corresponding Final Order shall lie solely in the Circuit Court of Florida, in and for Leon County, Florida.

14. This Stipulation and Consent Order is executed by the parties for the purpose of avoiding further administrative action with respect to the matters addressed herein. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Stipulation and Consent Order. Should the Commission not accept this Stipulation and Consent Order, it is agreed that presentation to and consideration of this Stipulation and Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

15. This Stipulation and Consent Order may be signed in counterparts, and copies shall be treated as original.

16. This Stipulation and Consent Order is binding upon all parties.

17. The parties agree that this serves as notice that the signed Stipulation and Consent Order will be placed on the next available Commission meeting. If Respondent would like to attend, Respondent is responsible for checking the Florida Gaming Control Commission website at https://flgaming.gov for the meeting materials, agenda, and contact information.

18. Respondent authorizes the Commission to correct any typographical errors or make any non-material changes to this Stipulation and Consent Order after it is signed.

[Signature pages to follow]

WHEREFORE, Respondent, STEPHEN GLEN KIRBY, requests that the Commission

enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 4 day of 6, 2025.

Standan

STEPHEN GLEN KIRBY Respondent

STATE OF <u>PL FIOR</u> A COUNTY OF <u>SUVM</u>

The foregoing instrument was acknowledged before me, by means of physical presence or \Box online notarization, this $\underline{4}$ day of $\underline{900}$, 2025, by STEPHEN GLEN KIRBY, who is personally known to me or who produced the following as identification: \underline{FN} , \underline{DL}

Sioph

Notary Public State of Florida Shivam D. Amin My Commission HH 238436 Exp. 3/10/2026

Notary Public

My commission expires: OS - 10 - 26

This Stipulation and Consent Order for the Florida Gaming Control Commission Case Number 2024-015793 is APPROVED for legal sufficiency this _____ day of ______, 2025.

> Emily Alvarado Chief Attorney The Florida Gaming Control Commission

Redlined -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.: 2024-015793

STEPHEN GLEN KIRBY,

Respondent.

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (hereinafter the "Commission") and Stephan Glen Kirby (hereinafter "Respondent"), each individually, a "party," and collectively as "parties," hereby agree and stipulate as follows:

WHEREAS, Respondent holds a Cardroom Employee Occupational License, number 13681126 (the "License"); and

WHEREAS, the Commission has jurisdiction over this matter and Respondent; and

WHEREAS, on May 15, 2024, the Commission filed a three-count Administrative Complaint against Respondent, alleging that Respondent (i) was convicted of two counts of Petit Theft, a misdemeanor involving larceny; (ii) violated the requirements of section 550.105(10)(d), Florida Statutes, based on Respondent's failure to timely notify the Commission of the convictions within 48 hours; and (iii) violated Rule 75-11.011 of the Florida Administrative Code, based on Respondent's failure to timely notify the Commission within five days of the arrest (the "Administrative Complaint") and;

WHEREAS, the parties have negotiated and agreed that the best interest of all the parties will be served by a settlement of these proceedings in lieu of further litigation.

STIPULATION

NOW THEREFORE, in consideration of the mutual promises and recitals herein, the parties hereby agree and stipulate to the following:

1. All recitals herein are true and correct and are incorporated herein.

2. All parties agree that the above "whereas" clauses incorporated herein are binding findings of the parties.

3. The Commission is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

4. Each party has entered into the terms of this Stipulation and Consent Order voluntarily. Respondent is aware that he is entitled to the advice of counsel and has either sought the advice of counsel or, by execution of this Stipulation and Consent Order, is knowingly waiving the right to have the advice of counsel. Respondent acknowledges that the Commission has not made any promise, nor has it in any other way encouraged Respondent to enter into this Stipulation and Consent Order without the advice of counsel.

5. The parties acknowledge and agree that this Stipulation and Consent Order constitutes the final order in this case and that this Stipulation and Consent Order is enforceable under sections 120.69 and 849.086, and chapter 550, Florida Statutes, as final agency action.

6. Respondent, for itself and its related or resulting organizations, successors, transferees, attorneys, heirs, and executors or administrators, discharges the Commission and its agents, representatives, and attorneys, of and from all claims, demands, actions, causes of action,

suits, damages, losses and expenses of any and every nature whatsoever, arising out of or in any way related to this matter and the Commission's actions, including, but not limited to, any claims that were or may be asserted in any federal or state court or administrative forum, including any claims arising out of this agreement, by or on behalf of Respondent or its related or resulting organizations.

7. Each party shall bear its own costs and attorney's fees.

8. **CONDITIONS OF LICENSURE**. Respondent agrees to the conditions set forth in this Section 8. Respondent further agrees that if Respondent fails to timely comply with any of the conditions in (a), (b), or (c)1. below, the License is immediately deemed surrendered by Respondent and will be canceled by the Commission. Respondent further agrees that if the License is canceled by the Commission for any reason set forth in this Section 8, Respondent shall be declared ineligible to apply for any license issued by the Commission under section 849.086, Florida Statutes, for a period of two (2) years. However, nothing herein waives Respondent's rights pursuant to sections 120.569 and 120.57, Florida Statutes, to dispute, in good faith, whether Respondent timely complied with any of the conditions in (a) or (b) below.

(a) **FINE**. Respondent agrees to and shall pay to the Commission the sum of **THREE THOUSAND DOLLARS (\$3,000.00)**. The payment shall be received by the Commission within thirty (30) days of filing of the Final Order Adopting the Settlement and Consent (the "Final Order") with the Commission. 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).

Deleted: Respondent further agrees to waive any and all appeals and proceedings related to such cancelation and/or period of ineligibility to which he may be entitled, including, but not limited to, an informal proceeding under section 120.57(2), Florida Statutes, a formal proceeding under section 120.57(1), Florida Statutes, appeals under section 120.68, Florida Statutes, and declaratory and all writs of relief in any court or quasi-court of competent jurisdiction. (b) SUSPENSION: Respondent agrees that the License shall be suspended by the Commission for a period of two weeks. This suspension shall commence on the date that the Final Order is filed with the Clerk of the Commission.

(c) PROBATION: For the time period that begins on the date of this Stipulation and Consent Order and ends on the last day of Respondent's licensure cycle immediately following Respondent's current licensure cycle, Respondent agrees to the following:

1. Respondent shall notify the Commission within forty-eight (48) hours of any arrest, indictment, or charge for any criminal offense.

2. Immediately upon Respondent's arrest, indictment, or charge for any criminal offense or charge for any administrative offense related to theft, the License is suspended pending the outcome of the proceeding. In the event the charge is dismissed or dropped, Respondent is found not guilty of the charge, or Respondent is not charged at all, the License shall be reinstated. In the event Respondent is found guilty or pleas nolo contendere to the charge, with or without an adjudication of guilty, or settles an administrative charge for any resolution other than dismissal of the charge, the License shall immediately be deemed surrendered by Respondent and canceled by the Commission. Respondent waives any and all appeals and proceedings related to the imposition of the immediate suspension and to the License surrender and cancelation to which he may be entitled, including, but not limited to, an informal proceeding under section 120.57(2), Florida Statutes, a formal proceeding under section 120.57(1), Florida Statutes, an administrative complaint under section 120.60(5), Florida Statutes, appeals under section 120.68, Florida Statutes, and declaratory and all writs of relief in any court or quasi-court of competent jurisdiction, except that Respondent retains the rights pursuant to sections 120.569 and 120.57, Florida Statutes, to dispute, in good faith, the sole issue of whether Respondent was found guilty or pled nolo contendere to the charge, or settled an administrative charge for any resolution other than dismissal of the charge,

9. Respondent must <u>mail the executed Stipulation and Consent Order to</u>: the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Tallahassee, Florida 32399-1035, Attention: Emily Alvarado.

10. By executing this Stipulation and Consent Order, the Respondent admits the allegations of fact and conclusions of law set forth in the Administrative Complaint. Nothing in this Stipulation and Consent Order shall be deemed to preclude the Commission from imposing a penalty against Respondent for any future act(s) or omission(s) constituting either a violation of Florida law or the Florida Administrative Code.

11. The parties acknowledge and agree that this Stipulation and Consent Order is subject to the approval of the Commission. The Stipulation and Consent Order will have no force or effect unless and until the Commission files a Final Order adopting this Stipulation and Consent Order. Should this Stipulation and Consent Order be rejected, no statement made in furtherance thereof by Respondent may be used as direct evidence against Respondent in any proceeding.

12. Upon the Commission's adoption of this Stipulation and Consent Order, Respondent agrees to waive any and all appeals and proceedings relating to these proceedings to which it may be entitled, including, but not limited to, an informal proceeding under section 120.57(2), Florida Statutes; a formal proceeding under section 120.57(1), Florida Statutes; appeals under section 120.68, Florida Statutes; and declaratory and all writs of relief in any court or quasicourt of competent jurisdiction; and agrees to waive compliance with the form of the Final Order (findings of fact and conclusions of law) to which it may be entitled, provided, however, that this **Deleted:** deemed surrendered by Respondent and will be canceled by the Commission.

agreement shall not be deemed a waiver by either party of its right to judicial enforcement of the Stipulation and Consent Order.

13. Venue for any action brought to interpret, enforce, or challenge the terms of this Stipulation and Consent Order and its corresponding Final Order shall lie solely in the Circuit Court of Florida, in and for Leon County, Florida.

14. This Stipulation and Consent Order is executed by the parties for the purpose of avoiding further administrative action with respect to the matters addressed herein. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Stipulation and Consent Order. Should the Commission not accept this Stipulation and Consent Order, it is agreed that presentation to and consideration of this Stipulation and Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

15. This Stipulation and Consent Order may be signed in counterparts, and copies shall be treated as original.

16. This Stipulation and Consent Order is binding upon all parties.

17. The parties agree that this serves as notice that the signed Stipulation and Consent Order will be placed on the next available Commission meeting. If Respondent would like to attend, Respondent is responsible for checking the Florida Gaming Control Commission website at https://flgaming.gov for the meeting materials, agenda, and contact information.

 Respondent authorizes the Commission to correct any typographical errors or make any non-material changes to this Stipulation and Consent Order after it is signed.

[Signature pages to follow]

WHEREFORE, Respondent, STEPHEN GLEN KIRBY, requests that the Commission

enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this _____ day of ______, 2025.

STEPHEN GLEN KIRBY Respondent

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me, by means of \Box physical presence

or 🗆 online notarization, this _____ day of _____, 2025, by STEPHEN GLEN

KIRBY, who is personally known to me or who produced the following as identification:

Notary Public

My commission expires:

This Stipulation and Consent Order for the Florida Gaming Control Commission Case Number 2024-015793 is APPROVED for legal sufficiency this ____ day of _____, 2025.

> Emily Alvarado Chief Attorney The Florida Gaming Control Commission

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

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

Petitioner,

v.

STEPHEN GLEN KIRBY,

FGCC Case No.: 2024-015793

Respondent.

_____/

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (hereinafter the "Commission") and Stephen Glen Kirby (hereinafter "Respondent"), each individually, a "party," and collectively as "parties," hereby agree and stipulate as follows:

WHEREAS, the Commission has jurisdiction over this matter and Respondent; and

WHEREAS, on May 15, 2024, the Commission filed a three-count Administrative Complaint against Respondent, alleging that Respondent violated section 849.086(6), Florida Statutes, and rule 75-11.011, Florida Administrative Code, by being convicted of misdemeanor offense involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, and failing to notify the Commission of the conviction within 48 hours or the arrest within 5 days (the "Administrative Complaint") and;

WHEREAS, the parties have negotiated and agreed that the best interest of all the parties will be served by a settlement of these proceedings in lieu of further litigation.

STIPULATION

NOW THEREFORE, in consideration of the mutual promises and recitals herein, the parties hereby agree and stipulate to the following:

1. All recitals herein are true and correct and are incorporated herein.

2. All parties agree that the above "whereas" clauses incorporated herein are binding findings of the parties.

3. The Commission is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

4. Each party has entered into the terms of this Stipulation and Consent Order voluntarily. Respondent is aware that he is entitled to the advice of counsel and has either sought the advice of counsel or, by execution of this Stipulation and Consent Order, is knowingly waiving the right to have the advice of counsel. Respondent acknowledges that the Commission has not made any promise, nor has it in any other way encouraged Respondent to enter into this Stipulation and Consent Order without the advice of counsel.

5. The parties acknowledge and agree that this Stipulation and Consent Order constitutes the final order in this case and that this Stipulation and Consent Order is enforceable under section 120.69 and chapter 550, Florida Statutes, as final agency action.

6. Respondent, for itself and its related or resulting organizations, successors, transferees, attorneys, heirs, and executors or administrators, discharges the Commission and its agents, representatives, and attorneys, of and from all claims, demands, actions, causes of action, suits, damages, losses and expenses of any and every nature whatsoever, arising out of or in any way related to this matter and the Commission's actions, including, but not limited to, any claims that were or may be asserted in any federal or state court or administrative forum, including any

claims arising out of this agreement, by or on behalf of Respondent or its related or resulting organizations.

7. Each party shall bear its own costs and attorney's fees.

8. FINE: Respondent agrees to and shall pay to the Commission 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-Mutuel Wagering (NO PERSONAL CHECKS).

9. SUSPENSION: Respondent agrees that his Cardroom Employee Occupational License, number 13681126, shall be suspended for a period of two weeks. This suspension shall commence on the date that the Final Order is filed with the Clerk of the Commission.

10. Respondent must <u>mail the executed Stipulation and Consent Order and the payment</u> to: the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Tallahassee, Florida 32399-1035, Attention: Emily Alvarado.

11. By executing this Stipulation and Consent Order, the Respondent neither admits nor denies the facts and legal conclusions raised in the Administrative Complaint, and the Commission continues to assert the validity thereof. Nothing in this Stipulation and Consent Order shall be deemed to preclude the Commission from imposing a penalty against Respondent for any future act(s) or omission(s) constituting either a violation of Florida law or the Florida Administrative Code.

12. The parties acknowledge and agree that this Stipulation and Consent Order is subject to the approval of the Commission. The Stipulation and Consent Order will have no force or effect unless and until the Commission files a Final Order adopting this Stipulation and Consent

Order. Should this Stipulation and Consent Order be rejected, no statement made in furtherance thereof by Respondent may be used as direct evidence against Respondent in any proceeding.

13. Upon the Commission's adoption of this Stipulation and Consent Order, Respondent agrees to waive any and all appeals and proceedings relating to these proceedings to which it may be entitled, including, but not limited to, an informal proceeding under section 120.57(2), Florida Statutes; a formal proceeding under section 120.57(1), Florida Statutes; appeals under section 120.68, Florida Statutes; and declaratory and all writs of relief in any court or quasicourt of competent jurisdiction; and agrees to waive compliance with the form of the Final Order (findings of fact and conclusions of law) to which it may be entitled, provided, however, that this agreement shall not be deemed a waiver by either party of its right to judicial enforcement of the Stipulation and Consent Order.

14. Venue for any action brought to interpret, enforce, or challenge the terms of this Stipulation and Consent Order and its corresponding Final Order shall lie solely in the Circuit Court of Florida, in and for Leon County, Florida.

15. This Stipulation and Consent Order is executed by the parties for the purpose of avoiding further administrative action with respect to the matters addressed herein. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Stipulation and Consent Order. Should the Commission not accept this Stipulation and Consent Order, it is agreed that presentation to and consideration of this Stipulation and 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 Stipulation and Consent Order may be signed in counterparts, and copies shall be treated as original.

17. This Stipulation and Consent Order is binding upon all parties.

18. The parties agree that this serves as notice that the signed Stipulation and Consent Order will be placed on the next available Commission meeting. If Respondent would like to attend, Respondent is responsible for checking the Florida Gaming Control Commission website at https://flgaming.gov for the meeting materials, agenda, and contact information.

19. Respondent authorizes the Commission to correct any typographical errors or make any non-material changes to this Stipulation and Consent Order after it is signed.

[Signature pages to follow]

WHEREFORE, Respondent, STEPHEN GLEN KIRBY, requests that the Commission

enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this <u>23</u> day of <u>C</u>, 2024.

Stor Min

STEPHEN GLEN KIRBY Respondent

STATE OF 72 COUNTY OF DULL

The foregoing instrument was acknowledged before me, by means of \square physical presence or \square online notarization, this 23 day of OC+, 2024, by STEPHEN GLEN KIRBY, who is personally known to me or who produced the following as identification:

THE INDIANA-OL

Notary Public State of Florida Shiyam D. Amin ommission HH 238436 Exp. 3/10/2026

Notary Public

My commission expires: 03 -10-26

This Stipulation and Consent Order for the Florida Gaming Control Commission Case Number 2024-015793 is APPROVED for legal sufficiency this 23 day of 024, 2024.

> Emily Alvarado Chief Attorney The Florida Gaming Control Commission

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

FILED FLORIDA GAMING CONTROL COMMISSION		
Date: File Number:	9/11/2024	
BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION		

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

Petitioner,

v.

FGCC Case No.: 2024-015793

STEPHEN GLEN KIRBY,

Respondent.

ORDER GRANTING MOTION TO RELINQUISH JURISDICTION

This cause came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on Petitioner's Motion to Relinquish Jurisdiction ("Motion").

On September 10, 2024, Petitioner's counsel filed a Motion requesting that the undersigned relinquish jurisdiction in the above styled case. The Motion represented that both parties have decided to continue settlement negotiations in FGCC case number 2024-015793.

Rule 28-106.303 of the *Florida Administrative Code* states that "The presiding officer shall conduct proceedings and enter such orders as are deemed necessary to dispose of issues raised by the motion."

Based on the foregoing, it is therefore ORDERED THAT:

- 1. The Motion to Relinquish Jurisdiction is granted.
- 2. Jurisdiction will revert back to the Florida Gaming Control Commission.

DONE AND ORDERED this 10th day of September 2024, in Tallahassee, Leon County, Florida.

Elizabeth K Stinson

Elizabeth K. Stinson Hearing Officer Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 10th day of September 2024 that a true copy of the foregoing "Order Granting Motion to Relinquish Jurisdiction" has been furnished via email to:

Emily Alvarado Emily.Alvarado@flgaming.gov Counsel for Petitioner

Thomas J. Morton tj@lockwoodlawfirm.com Counsel for Respondent

Elizabeth K Stinson

Elizabeth K. Stinson Hearing Officer Florida Gaming Control Commission

FILED FLORIDA GAMING CONTROL COMMISSION		
Date: File Number:	_9/10/2024	
	MELBA L. APELLANIZ RK OF THE COMMISSION	

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

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

Petitioner,

v.

STEPHEN GLEN KIRBY,

FGCC Case No.: 2024-015793

Respondent,

MOTION TO RELINQUISH JURISDICTION

The Petitioner, Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, by and through undersigned counsel, respectfully requests the Hearing Officer to enter an Order relinquishing jurisdiction in the above-styled cause. In support of this Motion, Petitioner states as follows:

1. The Parties have decided to continue settlement negotiations.

2. Should the Parties be unable to agree on a settlement, undersigned counsel will submit a Motion to reopen this case.

WHEREFORE, the Petitioner respectfully requests that the Hearing Officer enter an Order relinquishing jurisdiction in the above matters with the provision that the case may be reopened if the Parties are unable to come to an agreement. Respectfully submitted this 10th day of September 2024.

/s/Emily A. Alvarado Emily A. Alvarado Chief Attorney Florida Bar Number: 1025200 Florida Gaming Control Commission Office of the General Counsel 4070 Esplanade Way Tallahassee, Florida 32399-2202 Telephone: (850) 794-8066 Facsimile: (850) 921-1311 Primary: Emily.Alvarado@flgaming.gov Secondary: Ebonie.Lanier@flgaming.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of September 2024, a copy of the foregoing

was furnished to Respondent via electronic mail at:

Stephen Glen Kirby

c/o TJ Morton tj@lockwoodlawfirm.com

/s/Emily A. Alvarado

EMILY A. ALVARADO

	FILED
FLORIDA GA	MING CONTROL COMMISSION
Date:	8/20/2024
File Number:	
	MELBA L. APELLANIZ RK OF THE COMMISSION
CLEN	

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.: 2024-015793

STEVEN GLEN KIRBY

Respondent.

_____/

CORRECTED ORDER GRANTING UNOPPOSED MOTION FOR CONTINUANCE

The final hearing for this matter is scheduled for August 22, 2024. On August 13, 2024, undersigned received an Unopposed Motion for Continuance from counsel for the Petitioner.

Rule 28-106.303 of the *Florida Administrative Code* states that "The presiding officer shall conduct proceedings and enter such orders as are deemed necessary to dispose of issues raised by the motion."

It is therefore ORDERED:

1. The Unopposed Motion for Continuance is granted and the final hearing set for August 22, 2024, will be continued to a later date.

DONE AND ORDERED this 19th day of August 2024, in Tallahassee, Leon County Florida.

Elizabeth K Stinson

Elizabeth K. Stinson Hearing Officer Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 19th day of August 2024 that a true copy of the foregoing "Corrected Order Granting Unopposed Motion for Continuance" has been furnished via email to:

Thomas J. Morton <u>tj@lockwoodlawfirm.com</u> Counsel for Petitioner

Emily A. Alvarado Emily.Alvarado@flgaming.gov Counsel for Respondent

Elizabeth K Stinson

Elizabeth K. Stinson Hearing Officer Florida Gaming Control Commission

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

FILED
FLORIDA GAMING CONTROL COMMISSION
Date: 6/12/2024
File Number: BY: MELBA L. APELLANIZ
CLERK OF THE COMMISSION

FGCC v. KIRBY, STEPHEN GLEN

CASE NO.: 2024-015793

ELECTION OF RIGHTS

Please read the Administrative Complaint before choosing one of the three options. The Election of Rights is a **legally binding** document. Consult an attorney if you do not understand your options.

You can only select **ONE** of the options numbered one (1), two (2), and three (3) on the Election of Rights form. You must sign the form.

A completed Election of Rights <u>must be returned to the Clerk of the Commission within 21 days, by 5:00</u> p.m., Eastern Time, of the day you receive the attached Administrative Complaint.

If your Election of Rights form or request for hearing is not filed with the Clerk of the Commission within 21 days of the day you received the Administrative Complaint, you will have waived your right to contest the proposed agency action and a Final Order will be issued imposing the proposed agency action set forth in the Administrative Complaint.

Please use this form unless you, your attorney, or your representative prefer to reply according to chapter 120, Florida Statutes, and chapter 28.106 of the Florida Administrative Code.

Please return your Election of Rights form to this address:

Florida Gaming Control Commission Attention: Clerk of the Commission 4070 Esplanade Way, Suite 250, Tallahassee, FL 32399 Telephone: (850) 794-8076 Fax: (850) 563-8709 Email: clerk@flgaming.gov

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option One (1) \square I do not dispute the allegations of material fact in the Administrative Complaint and wish to be heard at an informal proceeding pursuant to section 120.57(2), Florida Statutes, where I may submit testimony and written evidence to the Commission to show that the proposed agency action is too severe or that the sanction should be reduced.

Option Two (2) I **do dispute the allegations** of material fact in the Administrative Complaint and I request a formal hearing pursuant to Section 120.57(1) before an Administrative Law Judge of the Division of Administrative Hearings ("DOAH"). I specifically dispute the following facts in the Administrative Complaint (attach extra pages or write on the back if needed):

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

In addition to the above election for formal hearing, check the box below if you wish to enter into settlement negotiations and waive the 15-day requirement for this matter to be referred to DOAH:

Section 120.569(2)(a), Florida Statutes, requires the Commission to send this case to DOAH for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement.

Option Three (3) I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to object and to have a hearing. I understand that by giving up the right to object and have a hearing, a Final Order will be issued that adopts the allegations of fact and conclusions of law alleged in the Administrative Complaint and imposes the Commission action set forth in the Administrative Complaint.

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

Stephen Kiby				
PRINTED NAME	ATTORNEY OR QUA	ALIFIED REPRES	ENTATIVE	
9855 Begenly Square	Blud Ant 0)		
Street Address	Street Address (wher	et Address (where service shall be made)		
JackSinville, FL 32005				
City State Zip	City	State	Zip	
317-607-6848				
Telephone Number Facsimile Number (if any) Number (if any)	Telepl	none Number Fa	csimile	
glen Kirby 6510 Pgmail-lom				
E-mail	E-mail			
Star				
SIGNATURE				

YOU MUST LET THE COMMISSION KNOW IF YOUR E-MAIL OR MAILING ADDRESS CHANGES

FILED				
FLORIDA GAMING CONTROL COMMISSION				
Date: File Number:	5/15/2024			

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.

STEPHEN GLEN KIRBY,

Respondent.

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Stephan Glen Kirby ("Respondent"), and alleges:

Petitioner is the state agency charged with regulating pari-mutuel wagering and 1. cardroom operations pursuant to chapters 550 and 849, Florida Statutes.

2. At all times material hereto, Respondent held a Cardroom Employee Occupational License, number 13681126, issued pursuant to section 849.086(6) Florida Statutes.

3. On or about December 1, 2023, Respondent entered a plea of nolo contendere and was convicted of Petit Theft, Less than \$100, a misdemeanors, in the Circuit Court of the Fourth Judicial Circuit in and for Duval County, Florida, in case number 16-2023-MM-019007-AXXX-MA.

4. On or about December 1, 2023, Respondent also entered a plea of nolo contendere and was convicted of Petit Theft, Less than \$100, a misdemeanors, in the Circuit Court of the

FGCC Case No.: 2024-015793

F

Fourth Judicial Circuit in and for Duval County, Florida, in case number 16-2023-MM-019036-AXXX-MA.

COUNT I

5. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

6. Section 849.086(6)(g), Florida Statutes, provides that "[t]he division 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."

7. Based on the foregoing, Respondent violated section 849.086(6)(g), Florida Statutes, by entering a plea of nolo contendere and being convicted of two counts of Petit Theft, Less than \$100, a misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in Duval County, Florida on December 1, 2023 and is therefore subject to suspension or revocation of his occupational license.

COUNT II

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

9. Respondent failed to notify Petitioner within 48 hours of his December 1, 2023 conviction for Petit Theft, Less than \$100 in Duval County, Florida.

10. Section 849.086(6)(f), Florida Statutes, provides that "[t]he commission shall adopt rules regarding cardroom occupational licenses. The provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses."

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

12. Based on the foregoing, Respondent violated section 550.105(10)(d), Florida Statutes, by failing to inform the Division of his December 1, 2023 conviction for a disqualifying offense within 48 hours and is therefore subject to suspension or revocation of his occupational license under section section 550.0251(10), Florida Statutes.

COUNT III

13. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.

14. On or about November 30, 2023, Respondent was arrested Petit Theft, Less than\$100 in Jacksonville, Florida.

15. Respondent failed to provide written notification to Petitioner within five days of his November 30, 2023 arrest.

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

Any cardroom occupational licensee shall provide written notification to the division when the licensee has been arrested, indicted, or charged in any other way with a criminal offense within five days of the arrest, or if not arrested, within five days of the receipt of a charging document. Licensees are not required to report non-criminal traffic offenses. 17. Based on the foregoing, Respondent violated rule 75-11.011, Florida Administrative Code, by failing to provide written notification to Petitioner within five days of his November 30, 2023 arrest.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order revoking or suspending Respondent's Occupational License, along with any other remedy provided by sections 550.105 and 849.086, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2024-015793 is signed this 14th day of May 2023.

/s/Emily A. Alvarado

Emily A. Alvarado Deputy Chief Attorney Florida Bar Number: 1025200 Florida Gaming Control Commission Office of the General Counsel Division of Pari-Mutuel Wagering 4070 Esplanade Way, Suite 250 Tallahassee, Florida 32399-2202 Telephone: (850) 794-8066 Facsimile: (850) 536-8709 Primary: Emily.Alvarado@flagaming.gov Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS

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

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

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

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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: NORTHERN		te of Con ARCH 14		Case Number: 2024 01 5793		
RESPONDENT:	NORTHERN			, 2024 AINANT:	2024 01 3733		
KIRBY, STEPHEN	SQUARE BOULEVAR FLORIDA 32225	D APT. 2	DIVISION OF PARI-MUTUEL WAGERING				
License	# and Type:		Professi	-	Report Date:		
	126 - 1012		DEALE	R	April 3, 2024		
	Period of Investigatior CH 14, 2024 – April 3				Type of Report: FINAL		
LICENSE REQUIR any cardroom occur withheld in this statinvolving forgery, la or gaming commiss 75-11.011 Notificat Any cardroom occur arrested, indicted, arrested, within five traffic offenses.	ED; APPLICATION; F upational license if the ate or any other state, arceny, extortion, consp sion or authority. tion of Criminal Conv upational licensee shall or charged in any oth e days of the receipt of	EES. — (g) applicant or or under th biracy to defr iction or Cha provide writ er way with a charging d	The co holder t e laws c aud, or f arge ten notifi a crimina ocument	mmission may hereof has bee of the United St iling false report cation to the div al offense withir . Licensees are	ID EMPLOYEE OCCUPATIONAL deny, declare ineligible, or revoke n found guilty or had adjudication tates of a felony or misdemeanor ts to a government agency, racing vision when the licensee has been n five days of the arrest, or if not not required to report non-criminal		
Synopsis: Licensee Stephen Glen KIRBY, a Cardroom Dealer at the Jacksonville Best Bet cardroom, and who holds a PMW Cardroom Employee Occupational License, (Lic# 13681126 / 1012), was convicted on December 1 2023, for two counts of Petit Theft (Misdemeanors). In addition, KIRBY failed to notify the Division of his November 30, 2023, arrest which led to the above convictions as required by the Florida Statutes and Rules noted above.							
Related Case:							
Investigator Super	visor / Date		Chi	ef of Investigati	ions / Date		
151 C. Deut	Warking -				\sim		
C. Derek Washing	ton / April 3, 2024		Bra	aford D. Jones	7 April 22, 2024		

CONTINUATION

On December 1, 2023, the Division received an Applicant Hit notification from the Florida Department of Law Enforcement (FDLE). The report indicated that on November 30, 2023, **KIRBY** was arrested by the Jacksonville Sheriff's Office and charged with the following offenses (**Exhibit #1**):

- 1. Petit Theft-Less than \$100 (Misdemeanor 2nd Degree, Case #16-2023-MM-019007)
- 2. Petit Theft-Unspecified-Less than \$100 (Misdemeanor 2nd Degree, Case #16-2023-MM-019036)

A check of the VERSA License database revealed **KIRBY** received his PMW Cardroom Employee Occupational license on August 1, 2023, to work as a Dealer at the Jacksonville Best Bet Cardroom. He is currently licensed until June 30, 2026 (Exhibit #2).

On March 12, 2024, PMW Operations Review Specialist Jonathan Dye placed an Enforcement Alert on **KIRBY**'s PMW license regarding the above offenses **(Exhibit #2)**.

Information obtained from the Florida Comprehensive Case Information System (CCIS) for Duval County, Florida, revealed that on December 1, 2023, **KIRBY** pled Nolo Contendere to both charges. **KIRBY** was Adjudicated Guilty and sentenced to 2 days in County Jail (Credit time: 2 days - **Exhibit #3)**.

As per the Police report prepared by the Jacksonville Sheriff's Deputy, on the day of his arrest, **KIRBY** was stopped by store Loss Prevention for stealing merchandise from Target. The report further indicated that Loss Prevention had recognized **KIRBY** from a previous theft which occurred on October 17, 2023. **KIRBY** was subsequently arrested for the theft that day and the theft on October 17, 2023 (**Exhibit #3**).

On Friday, March 22, 2024, I spoke with **KIRBY** regarding this matter. He explained that on the day of his arrest, he was shopping at "Target" and went through the self-checkout which he said he paid for the items in his cart but forgot to pay for the items under his cart. **KIRBY** said he was stopped by Loss Prevention and later arrested for theft. He further said he did not realize he was also charged with the additional charge of Petit Theft which occurred on October 17, 2023. When asked if he was aware of the requirement to notify the Division of his arrest and subsequent conviction, he said he was not aware of that requirement. **KIRBY** provided a written statement via email and a letter of recommendation **(Exhibit #4).**

Conclusion: KIRBY has violated of Florida State Statute 849.086(6)(g), and F.A.C Rule 75-11.011, due to his arrest, conviction, and subsequent failure to notify the Division.

Status: Investigations case closed and forwarded to Legal for review.

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PMW Occupational License Applicant Hit/Open Case Routing Slip

RE: <u>Kirby, Stephe</u> (UCENSEE		31126						
APPLICANT HIT/OPEN CASE RECEIVED: 12/01/2023								
Jonathan Dye	145							
Applicant Hit ORS	Facility (d/b/a name)	Occupation/Job Title						
occupational license is state, or under the law state which would be to traffic in, smuggling, a controlled substance	f the applicant for such license has be is of the United States of a capital felo a felony under the laws of this state inv importing, conspiracy to smuggle or i	pend, revoke, or declare ineligible any een convicted in this state, in any other ny, a felony, or an offense in any other volving arson; trafficking in, conspiracy import, or delivery, sale, or distribution of has had a pari-mutuel license revoked o pari-mutuel wagering.						
Did the applicant s	Licensing Section Re	eview						

Did the applicant self-report this co	nviction?	Yes	⊠No	
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Misdemeanor – Gambling Rela	ted/Bookmaki	ng		
Animal Cruelty		0		
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Cardroom Licenses, Professions	1012, 1031 an	d 1032 (Frau	d, Larceny, T	heft, etc.)
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License Administrator Review:	No Referral equired	Forward Investigation		Initials:

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EXHIBIT #2 PAGE 1/3

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EXHIBIT #2 PAGE 2/3

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	ECD Usage: UNITED STATES US Citizen?: YES Residence Type: CITY Residence Status: RESIDENT
	RTR written related to this incident?: NO RTR Incident Yr: RTR Incident #:
	Drugs Involved?: NO Alcohai Involved?: NO Computer Involved?: NO
	Is Arrestee a Gang member?: NO Required to register as a sex offender?: NO
	Suspect Invoke Miranda?: NO Miranda Rights Given?: YES Arrestee Confessed?: YES Arrestee needs ADA Consideration?: NO
W	eapon(s) Involved
	Weapon(s): NOT APPLICABLE (NONE)

Offense(s)

1 Statute #: 812.014(3)(A) PETIT THEFT - LESS THAN \$		de: 230G Attempt Code: (Committed
JSO Control #:	SA #: Warrant/Case #:	Warrant T No. of Co	ype: Not Applicable
Jurisdiction: JACKSONVILLE SHER Purge/Bond Type: Criminal Activity Type: VOP/FTA ONLY	IFF'S OFFICE Court Location/Di Bond Amount: Ø	iv.: Date of Issue:	Judgo: Date of Return:
Original Statute No: Description:	Degree:	UCR Code;	Attempt Code: Committed

Additional Information

On 11-30-2023, while on the scene for an unrelated theft (CCR 23-723895) at 444 Monument Rd, I was notified about another theft in progress.

Complainant) is a Loss Prevention Agent at Target.	approached my patrol vehicle and informed me
that a male was inside the store browsing merchandise.	directed me to the loss prevention desk and informed me
the suspect actively stealing had stolen once before from the store.	recognized the individual from the previous theft
as she had documented the theft in an internal file which included a	picture of the suspect's face.

The suspect exited the business with merchandise today with the intent to deprive the business of its merchandise (See CCR 23-724064). I detained the suspect without incident. I read the suspect his constitutional rights via card which he verbally acknowledged his understanding of. Post Miranda, the suspect admitted to entering the store and stealing the merchandise.

stated on 10-17-2023 at 1845, the suspect entered the business with a reusable shopping bag. The suspect began browsing merchandise and placing them into his reusable shopping bag. The suspect walked to the front of the store, passed assisted checkout kiosks, passed the self-checkout kiosks, and then walked out the front exit of the business with the intent to deprive the business of the merchandise.

The suspect was subsequently arrested for today's theft and the theft from 10-17-2023.

Case cleared by arrest - Patrol.

Signature

1, J.N. SMITH (#76601), swear or affirm that the information provided within this affidavit and any additional documentation referenced in this affidavit to be true and correct to the best of my knowledge.

Arresting Officer #1: /s/ J.N. SMITH (#76601)

Div/District or Unit: PATROL

Sworn to me this 30th day of November, 2023, by the referenced arresting officer under oath. The officer is personally known to me.

Approving Supervisor: Isl J.B. STERNER (#66206) Status: Approved

Administrative

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Transported By:	J.N. SMITH (#76601)	Arresting Officer #2: Num of Cases Cleared:	N/A
Additional Reviewers Report Reviewer 2: Report approved on:	/s/ J.P. BORCHARDT (#83529) Status: Ap 11/30/2023 20:28	proved	EXHIBIT #3 PAGE 2/15



1 . . .

Investigation Time # Hour(s): 01	‡1 Minute(s):	nn	Cost Amount:	\$48 74		
					·	
Property #1 - MERC Quantity:1 State Turned in at: PROPE	s: STOLEN /	ETC.				
Manufacturer:			м	odel:		
Serial Number: Description: 9 ITEMS		רדם	C	olor:		
Related Charge:		r y				
Property Taken Value:	\$51.92	Property	Taken by Arresting O	fficer:		
Property Owner: Victim (01) - TARG	ET					
Received From: NOT APPLICABLE						
Property #2 - RECC	RDINGS (TAPES, CE	os, CASSETTE	S)		
	S: NONE					
Turned in at: PROPEI Manufacturer:	ROOM		M	odel:		
Serial Number:			_	plor;		
Description: RECEIP1				100 - 19T O		
Related Charge: #01: l Property Taken Value:	12.014(3)(A)		Taken by Arresting O			
Property Owner:		riopeny	ration by ratiosing O			
JACKSONVILLE SH	IERIEE'S C	FFICE				
Bus. Contact Name: J.			Contact Phone #:	Ext.:		
Received From:						
Witness / Complain	ant (01) -					
Victim #1 - TARGET	-					
Did victim invoke right to pr		sure of person	al inio (Marsy's Law);	<u>.</u>		
Bus. Contact Name: Physical Address			fact Phone #:	E	xt.:	
r nyəlgal Aduress			maini	ng Address		
Sub-sector: G3 TAZ:						
Victim Relationship to	Offender: N					
Witness/Complainar	ıt #1 -					
Additional Question(s)					EXHIBIT #3
Body Worn Ca						PAGE 3/15
01 Is there Body W	om Camera (B	WC) footage fo	or incident?:			(BRIGINAL
Jail Information (Bac	k Door)			Date and	Time Admittee	1: 11/30/2023 20:29
ADLT KIRBY, STEP	HEN GLEN		ARREST	REPORT	Page 3 of 4	CCR #: 2023-0724168 Jail #: 2023028120

Arrest 2023-0724168 (Columed)

Jail Number: 2023028120

Juvenile/Court Clerk #:

Triage Questions

Involved in Traffic Accident?: NO Injuries from Accident?:

Was OC Deployed Prior to/during Arrest?: NO Was a Hobble Restraint used on the Arrestee?: NO

Does the Arrestee Exhibit any Signs of Suicidal Behavior or Attempts?: NO Does the Arrested have any Observable Medical/Mental Health Problems?: NO Has the Arrestee Shown any Escape Potential or Violence Propensity Behaviors?: NO Is there any other Information about the Arrestee that Jail Personnel need to Know?: NO If Yes, What?:

Part II of Arrest And Booking Report:

Arrestee Personal Information: How Long in Jax? Z MUNTHS



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APLT KIRBY, STEPHEN GLEN

ARREST REPORT Page 4 of 4

CCR #: 2023-0724168 Jail #: 2023028120



H.



Jody Phillips Clerk of Circuit Court

ADD ON DOCKET

DECEMBER 01, 2023 Date:

Judge: _____AUDREY MORAN

P/A: TRISTAN VILLEGAS



PLEA DIALOGUE - GIVEN

\$ COSTS MON THS PROBATION

comm



STATE OF FLORIDA

vs.

STEPHEN GLEN KIRBY, Defendant

JUDGMENT AND SENTENCE

The defendant having PLEAD NOLO CONTENDERE TO:

Charge Count	Statute Number and Description
1	S812.014(3)(A) PETIT THEFT - LESS THAN \$100 - 1ST OFFENSE

That defendant, accompanied by his attorney, NONE being present in open court, it is

ADJUDGED that the defendant is guilty of SAID OFFENSE(S).

After the foregoing judgment was rendered, that defendant was informed by the court of the accusation against that defendant and of the foregoing judgment, and was asked by the court whether that defendant had any cause to show why sentence should not be pronounced. That defendant showed no legally sufficient cause why sentence should not be pronounced.

That defendant and the State were afforded an opportunity to present evidence to the court as to any mitigating or aggravating circumstances that might properly be taken into consideration in imposing sentence.

Upon consideration, it is ORDERED that: The defendant shall be imprisoned in the County Jail of Duval County, Florida, for a term of:

Charge Count	Jail Time	Credit Time	Confinement Conditions
1	2 DAYS	2 DAYS	

The defendant is hereby placed on probation for a period of:

Count	Probation Time
1	

under the supervision of the Jacksonville Sheriff's Office, the conditions are specified in a separate order.





COURT ORDERED FINES, COSTS AND FEES

The defendant shall pay a fine in the amount of **\$0.00** pursuant to 775.083(1), Florida Statutes.

The defendant shall pay a 5% Additional Cost of Fine in the amount of **\$0.00** pursuant to 938.04, Florida Statutes. The defendant shall pay an additional Misdemeanor-Crimes Compensation Trust cost in the amount of **\$50.00** pursuant to 938.03, Florida Statutes.

The defendant shall pay a Cost Recovery Fee in the amount of **\$0.00** pursuant to 34.045(1)(b), Florida Statutes. The defendant shall pay **\$65.00** towards Assessment of Additional Court Costs pursuant to 939.185(1)(a), Florida Statutes and Section 634.102(c), Ordinance Code.

The defendant shall pay **\$0.00** Court Cost pursuant to 775.083(2), Florida Statutes.

The defendant shall pay **\$3.00** towards Additional Court Cost Clearing Trust Fund pursuant to 938.01(1), Florida Statutes. The defendant shall pay **\$2.00** towards Criminal Justice Education for Local Government pursuant to 938.15, Florida Statutes and Section 634.102(a), Ordinance Code.

The defendant shall pay \$0.00 towards Rape Crisis Trust Fund pursuant to 938.085, Florida Statutes.

The defendant shall pay an Emergency Medical Services Trust Fund cost in the amount of **\$0.00** pursuant to 938.07, Florida Statutes.

The defendant shall pay a Local Government Criminal Justice Trust Fund cost in the amount of **\$60.00** pursuant to 938.05(1)(b), Florida Statutes.

The defendant shall pay **\$0.00** cost for Misdemeanor Convictions involving Drugs or Alcohol pursuant to 938.13(1), Florida Statutes and Section 634.105, Ordinance Code.

The defendant shall pay Domestic Battery surcharge in the amount of **\$0.00** pursuant to 938.08, Florida Statutes. The defendant shall pay Teen Court costs in the amount of **\$3.00** pursuant to 938.19, Florida Statutes and Section 634.108. Ordinance Code.

The defendant shall pay Court House Trust Fund in the amount of **\$0.00** pursuant to 318.18(13)(a)1, Florida Statutes and Section 634.102(e), Ordinance Code.

The defendant shall pay a Crime Stoppers costs in the amount of **\$20.00** pursuant to 938.06(1), Florida Statutes. The defendant shall pay a State Radio System cost in the amount of **\$0.00** pursuant to 318.18(17), Florida Statutes.

The defendant shall pay a Reckless/Racing cost in the amount of **\$0.00** pursuant to 318.18(20), Florida Statutes.

The defendant shall pay an Emergency Medical Services Trust Fund cost in the amount of **\$0.00** pursuant to 316.192(4), Florida Statutes.

The defendant shall pay an additional Boating under the Influence (BUI) fine of **\$0.00** pursuant to 327.35(9), Florida Statutes.

The defendant shall pay a sum of **\$50.00** Cost of Prosecution pursuant to 938.27(8), Florida Statutes.

The defendant shall pay a sum of **\$50.00** Law Enforcement (Sheriff's Office) Investigative Costs pursuant to 938.27(1), Florida Statutes.

The defendant shall pay a sum of **\$0.00** Court Appointed Counsel Fee pursuant to 938.29(1)(a), Florida Statutes.

Revoked License _____

DUI School

Interlock Device

In open court, the defendant was advised of the right to appeal this sentence by filing a notice of appeal with the clerk of this court within 30 days from this date and the right to the assistance of counsel in taking the appeal at the expense of the State on showing if indigency.

Done and Adjudged in open court at Jacksonville, Duval County, Florida this 1st day of December, A.D. 2023.

andry Mexiber Mora

JUDGE AUDREY MCKIBBIN MORAN



STATE OF FLORIDA

vs.

STEPHEN GLEN KIRBY, Defendant

JUDGMENT AND SENTENCE

The defendant having PLEAD NOLO CONTENDERE TO:

Charge Count	Statute Number and Description
1	S812.014(3)(A) PETIT THEFT - UNSPECIFIED - LESS THAN \$100

That defendant, accompanied by his attorney, **NONE** being present in open court, it is

ADJUDGED that the defendant is guilty of SAID OFFENSE(S).

After the foregoing judgment was rendered, that defendant was informed by the court of the accusation against that defendant and of the foregoing judgment, and was asked by the court whether that defendant had any cause to show why sentence should not be pronounced. That defendant showed no legally sufficient cause why sentence should not be pronounced.

That defendant and the State were afforded an opportunity to present evidence to the court as to any mitigating or aggravating circumstances that might properly be taken into consideration in imposing sentence.

Upon consideration, it is ORDERED that: The defendant shall be imprisoned in the County Jail of Duval County, Florida, for a term of:

Charge Count	Jail Time	Credit Time	Confinement Conditions
1	2 DAYS	2 DAYS	

The defendant is hereby placed on probation for a period of:

Count	Probation Time
1	

under the supervision of the Jacksonville Sheriff's Office, the conditions are specified in a separate order.

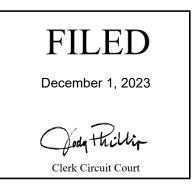


EXHIBIT #3 PAGE 9/15

STATE OF FLORIDA Vs. STEPHEN GLEN KIRBY IN THE COUNTY COURT. DUVAL COUNTY, FLORIDA CASE: 16-2023-MM-019036-AXXX-MA DIVISION: B (County)

COURT ORDERED FINES, COSTS AND FEES

The defendant shall pay a fine in the amount of **\$0.00** pursuant to 775.083(1), Florida Statutes.

The defendant shall pay a 5% Additional Cost of Fine in the amount of **\$0.00** pursuant to 938.04, Florida Statutes. The defendant shall pay an additional Misdemeanor-Crimes Compensation Trust cost in the amount of \$50.00 WAIVED pursuant to 938.03, Florida Statutes.

The defendant shall pay a Cost Recovery Fee in the amount of **\$0.00** pursuant to 34.045(1)(b), Florida Statutes. The defendant shall pay \$65.00 WAIVED towards Assessment of Additional Court Costs pursuant to 939.185(1)(a), Florida Statutes and Section 634.102(c). Ordinance Code.

The defendant shall pay \$0.00 Court Cost pursuant to 775.083(2), Florida Statutes.

The defendant shall pay **\$0.00** towards Additional Court Cost Clearing Trust Fund pursuant to 938.01(1), Florida Statutes. The defendant shall pay \$0.00 towards Criminal Justice Education for Local Government pursuant to 938.15, Florida Statutes and Section 634.102(a), Ordinance Code.

The defendant shall pay **\$0.00** towards Rape Crisis Trust Fund pursuant to 938.085, Florida Statutes.

The defendant shall pay an Emergency Medical Services Trust Fund cost in the amount of **\$0.00** pursuant to 938.07, Florida Statutes.

The defendant shall pay a Local Government Criminal Justice Trust Fund cost in the amount of \$60.00 WAIVED pursuant to 938.05(1)(b), Florida Statutes.

The defendant shall pay **\$0.00** cost for Misdemeanor Convictions involving Drugs or Alcohol pursuant to 938.13(1), Florida Statutes and Section 634.105, Ordinance Code.

The defendant shall pay Domestic Battery surcharge in the amount of **\$0.00** pursuant to 938.08, Florida Statutes. The defendant shall pay Teen Court costs in the amount of \$3.00 WAIVED pursuant to 938.19, Florida Statutes and Section 634.108. Ordinance Code.

The defendant shall pay Court House Trust Fund in the amount of **\$0.00** pursuant to 318.18(13)(a)1, Florida Statutes and Section 634.102(e), Ordinance Code.

The defendant shall pay a Crime Stoppers costs in the amount of \$20.00 WAIVED pursuant to 938.06(1), Florida Statutes.

The defendant shall pay a State Radio System cost in the amount of **\$0.00** pursuant to 318.18(17), Florida Statutes.

The defendant shall pay a Reckless/Racing cost in the amount of **\$0.00** pursuant to 318.18(20). Florida Statutes.

The defendant shall pay an Emergency Medical Services Trust Fund cost in the amount of \$0.00 pursuant to 316.192(4), Florida Statutes.

The defendant shall pay an additional Boating under the Influence (BUI) fine of \$0.00 pursuant to 327.35(9), Florida Statutes.

The defendant shall pay a sum of **\$50.00 WAIVED** Cost of Prosecution pursuant to 938.27(8), Florida Statutes.

The defendant shall pay a sum of \$50.00 WAIVED Law Enforcement (Sheriff's Office) Investigative Costs pursuant to 938.27(1), Florida Statutes.

The defendant shall pay a sum of **\$0.00** Court Appointed Counsel Fee pursuant to 938.29(1)(a), Florida Statutes.

 Revoked License
 DUI School
 Interlock Device

In open court, the defendant was advised of the right to appeal this sentence by filing a notice of appeal with the clerk of this court within 30 days from this date and the right to the assistance of counsel in taking the appeal at the expense of the State on showing if indigency.

Done and Adjudged in open court at Jacksonville, Duval County, Florida this 1st day of December, A.D. 2023.

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JUDGE AUDREY MCKIBBIN MORAN



Case 16-2023-MM-019007-AXXX-MA

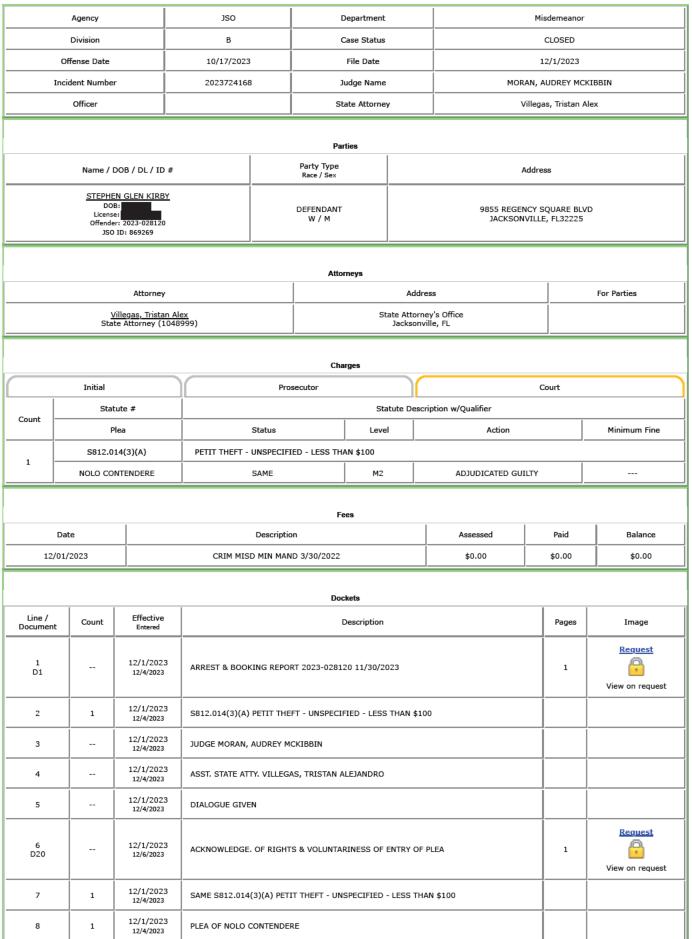
Agency JSO						Department		Misdemeanor	
	Division B					Case Status		DISPOSED	
	SAO Number 23MM077021A			AD		Offense Date		11/30/2023	
File Date 12/1/2023					Incident Number		2023724064		
Judge Name MORAN, AUDREY N				AN, AUDREY MO	CKIBBIN		Officer		
5	State Attorney		v	illegas, Tristan	Alex				
					Parties				
	Name / DO	DB / DL / ID #			nty Type ace / Sex		bbA	ress	
	DOB: License: Offender:	GLEN KIRBY 2023-028120 D: 869269			FENDANT W / M		9855 REGENCY S JACKSONVIL	QUARE BLVD # LE, FL32225	:2
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1	1 NOLO CONTENDERE SAME					M2	ADJUDICATED GUI		
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CORE Clerk Online Resource ePortal

2 00 1 10					
Line / Document	Count	Effective Entered	Description	Pages	Image
		12/1/2023			
9	1	12/1/2023 12/1/2023	CREDIT TIME: 2 DAYS		
10 D9	1	12/1/2023 12/1/2023	LEEA 5.00 IMPOSED	1	Request
11	1	12/1/2023 12/1/2023	CCT 50.00 IMPOSED		
12	1	12/1/2023 12/1/2023	LGTF 60.00 IMPOSED		
13	1	12/1/2023 12/1/2023	TNC 3.00 IMPOSED		
14	1	12/1/2023 12/1/2023	SOCIF 50.00 IMPOSED		
15	1	12/1/2023 12/1/2023	AACC 65.00 IMPOSED		
16	1	12/1/2023 12/1/2023	SAIEF 50.00 IMPOSED		
17	1	12/1/2023 12/1/2023	CSTF 20.00 IMPOSED		
18		12/1/2023 12/1/2023	FEES DUE: 2/1/2024		
19 D18		12/1/2023 12/1/2023	JUDGMENT & SENT. W/FINGERPRINTS	1	Available Public access



Case 16-2023-MM-019036-AXXX-MA



CORE Clerk Online Resource ePortal

24, 2 40 F 10					
Line / Document	Count	Effective Entered	Description	Pages	Image
9	1	12/1/2023 12/4/2023	DEF. ADJUDGED GUILTY		
10	1	12/1/2023 12/4/2023	JUDGMENT AND SENTENCE TO COUNTY JAIL FOR 2 DAYS		
11	1	12/1/2023 12/4/2023	CREDIT TIME: 2 DAYS		
12	1	12/1/2023 12/4/2023	LEEA 5.00 WAIVED		
13	1	12/1/2023 12/4/2023	CCT 50.00 WAIVED		
14	1	12/1/2023 12/4/2023	LGTF 60.00 WAIVED		
15	1	12/1/2023 12/4/2023	TNC 3.00 WAIVED		
16	1	12/1/2023 12/4/2023	SOCIF 50.00 WAIVED		
17	1	12/1/2023 12/4/2023	AACC 65.00 WAIVED		
18	1	12/1/2023 12/4/2023	SAIEF 50.00 WAIVED		
19	1	12/1/2023 12/4/2023	CSTF 20.00 WAIVED		
20 D19		12/1/2023 12/4/2023	JUDGMENT & SENT. W/FINGERPRINTS	1	Available Public access



Derek Washington

From:	Stephen Kirby <glenkirby6510@gmail.com></glenkirby6510@gmail.com>
Sent:	Monday, March 25, 2024 5:35 PM
To:	Derek Washington
Subject:	stephen kirby gaming license
Follow Up Flag:	Flag for follow up
Flag Status:	Flagged

You don't often get email from glenkirby6510@gmail.com. Learn why this is important

Hello, my name is Stephen Kirby. I live at 9855 Regency Square Blvd Apt 2. My phone number is . I work at Bestbet Jacksonville as a floor manager. I am 39 years old and Up until a few months ago I had never been in any type of trouble in my entire life. I was shopping at target and they had set up a sting operation to get shoplifters. I went through self checkout and paid for most of the items but I didn't scan the items under the cart. It was a couple of cases of drinks adding up to around 20 dollars of merchandise that I didn't scan. As a walked out I was told to stop by police and I was arrested and target said they did want to press charges as retailers have been hit hard by shoplifting in the last few years. I wasn't aware that I was supposed to contact florida gaming so I regret that as well as not scanning the items. I am in the process of getting the charged expunged from my record but it will take around 6 months. As I said I have never been in arrested before and I promise I will not be arrested again. Gaming is the only skill I currently have that I can make enough money to support my family. If I lose my gaming license we will lose our place to live and our entire life will go into a spiral. By the time the license is up for renewal this will not be on my record anymore. I have spoken to my employer and they are writing me a letter of recommendation that I will submit as well. Please don't take my gaming license. I desperately need this job. Look at my record before this minor incident. I am a good citizen that has worked and not been in trouble for the last 20 years. I barely have gotten speeding tickets. I love where I work and my employer values what I do for the company as well. I am happy to do anything you would ask to keep my license. Community service, classes, just name it and I will do it. Feel free to reach out. Thank you for the consideration.

Sincerely, Stephen Kirby Floor manager best bet



Derek Washington

From:
Sent:
To:
Subject:

Wesley Powell < Sunday, March 31, 2024 10:33 PM Derek Washington Letter of Recommendation for Stephen Kirby

[You don't often get email from https://aka.ms/LearnAboutSenderIdentification]

. Learn why this is important at

>

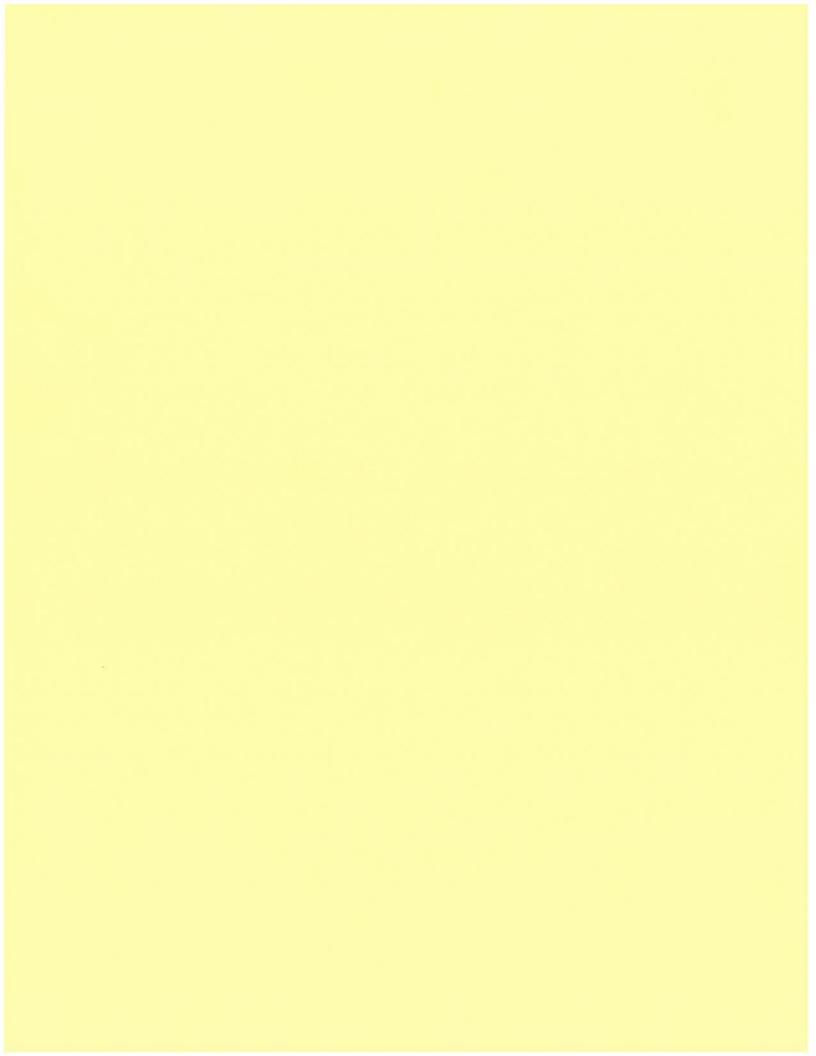
To whom it may concern,

My name is Wesley Powell, and I am a floor manager at bestbet Jacksonville. I have been a licensed card room employee in the state of Florida since 2009. I am writing to you on behalf of Stephen Kirby. Through 15 years of working in this industry, I have seen many people come and go from all walks of life. Though we only started working together seven months ago, I would like you to know that it has been my absolute pleasure to meet and work with Mr. Kirby. From the first day of training, I knew that he would become an invaluable addition to our team. In fact, one of the first conversations we had was him informing me about how important following the rules of poker are and asking me how well we stick to them in implementing our jobs as floor managers. As time has progressed, I have come to know Mr. Kirby as a man of the highest work ethic, integrity, and someone who always strives to be polite, kind, and can always be relied upon whenever needed. This is an unfortunate situation that he has found himself in, but I assure you that it is in no way a reflection of who he is and what he brings to our profession here in Florida. I urge you to make the right decision so that we can keep such an irreplaceable asset the likes of which are a rarity in this industry. If I am able to provide anything else in order to help in this endeavor, I implore you to reach out to me.

Thank you for your time,

Wesley Powell





MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Emily Alvarado, Chief Attorney
Re:	FGCC v. South Florida Racing Association, LLC
	d/b/a Hialeah Park Racing and Casino
	Case No. 2024-028202; Consent Order
Date:	January 29, 2025

Executive Summary

South Florida Racing Association, LLC d/b/a Hialeah Park Racing and Casino ("Respondent") seeks the adoption of the proposed settlement and consent order to resolve Case No. 2024-028202. Pursuant to the terms of the proposed order, the Respondent will agree to pay an administrative fine in the amount of \$250.

Background

On August 26, 2024, an administrative complaint was filed against Respondent alleging a violation rule 75-11.022(3), Florida Administrative Code, by failing to ensure that the imprest trays were stored in a secured area. Specifically, on May 10, 2024, Commission investigators observed a float cart containing imprest trays that were left unsecured on the Poker room floor. Respondent has no prior violations of this rule.

Analysis

Rule 75-11.022(3), Florida Administrative Code, provides:

The cardroom supporting area where unused imprest trays are stored must be a secure area where access is limited to those persons authorized pursuant to subsection 75-11.012(9), F.A.C. If unused imprest trays are not maintained in such secure area, they must be locked and secured to the table under constant surveillance coverage at all times.

Under section 120.57(4), Florida Statutes, the Commission may resolve matters such as this case informally through a negotiated settlement. As part of settlement

negotiations, Respondent is requesting the Commission to consider and agree to the proposed terms set forth in the Consent Order, whereby Respondent will agree to pay an administrative fine in the amount of \$250.

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.: 2024- 028202

SOUTH FLORIDA RACING ASSOCIATION, LLC d/b/a HIALEAH PARK RACING AND CASINO,

Respondent.

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (hereinafter the "Commission") and South Florida Racing Association, LLC d/b/a Hialeah Park Racing and Casino (hereinafter "Respondent"), each individually, a "party," and collectively as "parties," hereby agree and stipulate as follows:

WHEREAS, The Commission has jurisdiction over this matter and Respondent; and

WHEREAS, on August 26, 2024, the Commission filed an administrative complaint against Respondent, alleging a violation of rule 75-11.022(3), Florida Administrative Code, by failing to ensure that the imprest trays were stored in a secured area (the "Administrative Complaint"); and

WHEREAS, the parties have negotiated and agreed that the best interest of all the parties will be served by a settlement of these proceedings in lieu of further litigation.

STIPULATION

NOW THEREFORE, in consideration of the mutual promises and recitals herein, the parties hereby agree and stipulate to the following:

1. All recitals herein are true and correct and are incorporated herein.

2. All parties agree that the above "whereas" clauses incorporated herein are binding findings of the parties.

3. The Commission is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

4. Each party has entered into the terms of this Stipulation and Consent Order voluntarily. Respondent is aware that he is entitled to the advice of counsel and has either sought the advice of counsel or, by execution of this Stipulation and Consent Order, is knowingly waiving the right to have the advice of counsel. Respondent acknowledges that the Commission has not made any promise, nor has it in any other way encouraged Respondent to enter into this Stipulation and Consent Order without the advice of counsel.

5. The parties acknowledge and agree that this Stipulation and Consent Order constitutes the final order in this case and that this Stipulation and Consent Order is enforceable under section 120.69, and chapter 550, Florida Statutes, as final agency action.

6. Respondent, for itself and its related or resulting organizations, successors, transferees, attorneys, heirs, and executors or administrators, discharges the Commission and its agents, representatives, and attorneys, of and from all claims, demands, actions, causes of action, suits, damages, losses and expenses of any and every nature whatsoever, arising out of or in any way related to this matter and the Commission's actions, including, but not limited to, any claims that were or may be asserted in any federal or state court or administrative forum, including any

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claims arising out of this agreement, by or on behalf of Respondent or its related or resulting organizations.

7. Each party shall bear its own costs and attorney's fees.

8. FINE: Respondent agrees to and shall pay to the Commission the sum TWO HUNDRED FIFTY DOLLARS (\$250.00) at the time Respondent submits an executed copy of this Consent Order. The payment must be in the form of a certified check, cashier's check, or money order, made payable to the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (NO PERSONAL CHECKS).

9. Respondent must <u>mail the executed Stipulation and Consent Order and the payment</u> <u>to</u>: The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Tallahassee, Florida 32399-1035, Attention: Emily Alvarado.

10. By executing this Stipulation and Consent Order, the Respondent neither admits nor denies the facts and legal conclusions raised in the Administrative Complaint, and the Commission continues to assert the validity thereof. Nothing in this Stipulation and Consent Order shall be deemed to preclude the Commission from imposing a penalty against Respondent for any future act(s) or omission(s) constituting either a violation of Florida law or the Florida Administrative Code.

11. The parties acknowledge and agree that this Stipulation and Consent Order is subject to the approval of the Commission. The Stipulation and Consent Order will have no force or effect unless and until the Commission files a Final Order adopting this Stipulation and Consent Order. Should this Stipulation and Consent Order be rejected, no statement made in furtherance thereof by Respondent may be used as direct evidence against Respondent in any proceeding.

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12. Upon the Commission's adoption of this Stipulation and Consent Order, Respondent agrees to waive any and all appeals and proceedings relating to these proceedings to which it may be entitled, including, but not limited to, an informal proceeding under section 120.57(2), Florida Statutes; a formal proceeding under section 120.57(1), Florida Statutes; appeals under section 120.68, Florida Statutes; and declaratory and all writs of relief in any court or quasicourt of competent jurisdiction; and agrees to waive compliance with the form of the Final Order (findings of fact and conclusions of law) to which it may be entitled, provided, however, that this agreement shall not be deemed a waiver by either party of its right to judicial enforcement of the Stipulation and Consent Order.

13. Venue for any action brought to interpret, enforce, or challenge the terms of this Stipulation and Consent Order and its corresponding Final Order shall lie solely in the Circuit Court of Florida, in and for Leon County, Florida.

14. This Stipulation and Consent Order is executed by the parties for the purpose of avoiding further administrative action with respect to the matters addressed herein. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Stipulation and Consent Order. Should the Commission not accept this Stipulation and Consent Order, it is agreed that presentation to and consideration of this Stipulation and Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

15. This Stipulation and Consent Order may be signed in counterparts, and copies shall be treated as original.

16. This Stipulation and Consent Order is binding upon all parties.

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17. The parties agree that this serves as notice that the signed Stipulation and Consent Order will be placed on the next available Commission meeting. If Respondent would like to attend, Respondent is responsible for checking the Florida Gaming Control Commission website at https://flgaming.gov for the meeting materials, agenda, and contact information.

18. Respondent authorizes the Commission to correct any typographical errors or make any non-material changes to this Stipulation and Consent Order after it is signed.

[Signature pages to follow]

Respondent, SOUTH FLORIDA RACING ASSOCIATION, LLC d/b/a HIALEAH PARK

RACING AND CASINO requests that the Commission enter a Final Order approving and

incorporating this Stipulation and Consent Order in resolution of this matter.

Signed this 19th day of December, 2024.

SOUTH FLORIDA RACING ASSOCIATION, LLC d/b/a HIALEAH PARK RACING AND CASINO Respondent

Signed on behalf of South Florida Racing Association, LLC d/b/a Hialeah Park Racing and Casino by:

Steve	Calabra	
Printed Name		
EVP	General	Mar.
Title		J

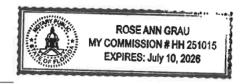
STATE OF FLORIDA

COUNTY OF <u>Dade</u>

The foregoing instrument was acknowledged before me, by means of \Box physical presence or \Box online notarization, this <u>)94</u> day of <u>December</u>, 2024, by a duly authorized representative of South Florida Racing Association, LLC d/b/a Hialeah Park Racing and Casino, who is personally known to me or who produced the following as identification:

personally known.

Freed



My commission expires:

This Stipulation and Consent Order for the Florida Gaming Control Commission Case Number 2024-028202 is APPROVED for legal sufficiency this _____ day of ______, 2024.

> Emily Alvarado Chief Attorney The Florida Gaming Control Commission



December 19, 2024

Emily Alvarado, Chief Attorney FGCC

Response --- Case 2024-028202,

The facility has procedures in place which require the securing of unused Cardroom imprest trays as designated in 75-11.022(3). We acknowledge that on May 10t^h 2024 Poker CSL Christopher Wu (8094342) violated those procedures. This incident was addressed with the employee, and he was issued a written disciplinary action, which stated that a repeat occurrence may result in termination. Subsequently on June 12th, Christoper Wu violated this procedure a 2nd time, and he was terminated. Copies of both disciplinary actions are attached to this response.

The facility believes it has acted in a responsible manner regarding 75-11.022(3). A procedure was in place, an employee violated the procedure, and we responded with disciplinary action to correct the employee's actions. The facility has also eliminated the use of the table float cart, therefore it's not possible for this to occur again. We ask that the Commission take this into consideration.

We also believe in cases like this, it's appropriate for the administrative complaint to be directed specifically to the licensed employee who committed the infraction.

Sincerely,

Paul Schlaffer

Director of AML/Casino Compliance/Internal Audit

Office: 786-615-5111

Email: pschlaffer@hialeahpark.com

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Page 1 of 1



Notice of Company Policy Disciplinary Action

Employee Name: Christopher Wu	Employee No.: <u>439</u>
Date: 05/10/2024 Department: Poker Operations	Job Title: Customer Service Liaison

Description of Infraction: On the above date a review was done where Christopher Wu left the poker cart imprest trays unlocked, this is a violation of the State of Florida 75-11.012(9), if unused imprest trays are not maintained in such secure area, they must be locked and secured under constant surveillance coverage at all times, please avoid repeating this type of violation in the future and avoid a severe disciplinary action up to facing termination.

NOTICE TO EMPLOYEE: You have been given this notice to address the seriousness of the incident and allow you the opportunity to correct the problem noted above. If the infraction is repeated, or if another company policy is violated, you will be subject to further disciplinary action up to and including termination.

Disciplinary Action Taken

Documented Verbal Counseling	
X Written Warning S First Second Third	
Suspension 1st 2nd from: to # Days Suspended _	
Termination Effective Date:	
Employee Comments and Confirmation of Receipt:	
Employee Signature: 5/11/24	
Note: Your signature on this form means that we have discussed the situation.	
Manager Name Angelo Garcia Signature: Date: 05/16/2024	
Witness Name: Date:	Ø

Revised 9/2018

Original Filename

UploadedFile_5ffcd26e-0835-48dd-9d68-3504c85e5e4c.Jpeg

Date Attached 5/15/2024 4:31:50 PM

Attached By wlantigua

Type JPEG

Size 193773

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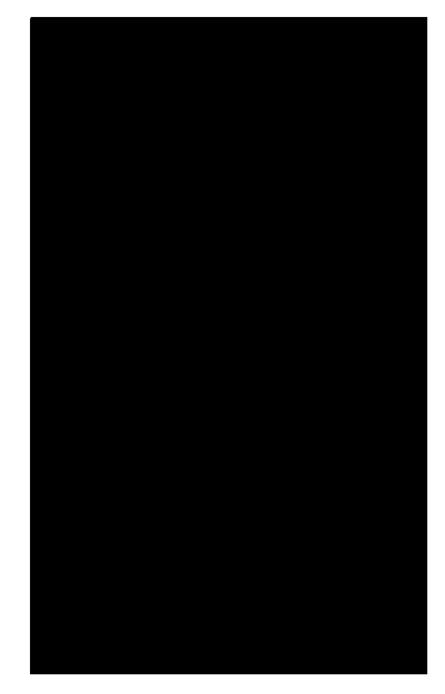
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Date Attached 5/15/2024 4:32:20 PM

Attached By wlantigua

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Attached By wlantigua

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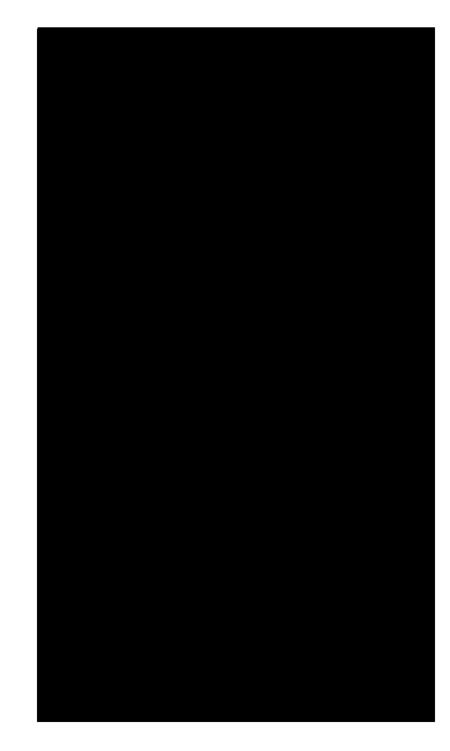
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Date Attached 5/15/2024 4:32:00 PM

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Attached By wlantigua

Type JPEG





Notice of Company Policy Disciplinary Action

Employee Name: Christopher Wu	Employee No.: <u>439</u>
Date: 06 12 2024 Department: Poker Operations	Job Title: Customer Service Liaison
Description of Infraction: On the above date a review was	done where Christopher Wu left
the poker cart imprest trays unlocked, this is a violation of	the State of Florida 75-11.012(9), if
unused imprest trays are not maintained in such secure are	a, they must be locked and secured
under constant surveillance coverage at all times, please av	void repeating this type of violation in
the future and avoid a severe disciplinary action up to faci	ng termination.

NOTICE TO EMPLOYEE: You have been given this notice to address the seriousness of the incident and allow you the opportunity to correct the problem noted above. If the infraction is repeated, or if another company policy is violated, you will be subject to further disciplinary action up to and including termination.

Disciplinary Action Taken

	Documented Verbal Counseling						
	Written Warning 🛛 First 🛛 Second 🗖 Third						
	Suspension 1st 2nd from: to # Days Suspended						
X	Termination Effective Date:June 21, 2024						

Employee Comments and Confirmation of Receipt:

Employee Signature:		Date:
Note: Your signature on this form m		ussed the situation.
Manager Name Angelo Garcia	Signature:Z	Date: 06 21 2024
Witness Name: (Witness Name and Signature if emp		Date:

Revised 9/2018

South Florida Racing Association, LLC (7-2021) **PAYROLL CHANGE NOTICE**

PAYROLL DEPARTMENT TO:

FROM: Poker Operations

PLEASE ENTER THE FOLLOWING CHANGE (S) IN YOUR RECORDS TO TAKE EFFECT EFFECTIVE: June 21, 2024

EMPLOYEE NAME: Christopher Wu EMPLOYEE NO: 439

12

CHECK ALL APPLICABLE BOXES	FROM	TO		
© DEPARTMENT	Poker			
a JOB TITLE	CSL			
RATE	\$17.50 HR + Tips			
C OTHER	Full-time			
REASON FOR THE CHANGE				
- Hired	D Re-Hired	Resignation		
Length of Service Increase	a Promotion	x Discharge		
Re-Evaluation of Existing Job	Demotion	🗆 Lay Off		
Transfer	Merit Increase	n Retirement		
Leave of Absence From:	To			

- CARLO

Eligible for Re-Hire Yes____

Explanation Failed to follow company policy and procedures.

For Department Transfer only	
TRANFERRING DIRECTOR	DATE
NEW DEPT DIRECTOR	DATE
PRESIDENT	DATE
DEPT DIRECTOR	DATE 06/25/2024
VP APPROVAL	DATE
HR. DIRECTOR	_ DATE 6/05/0

No X

	FILED
FLORIDA GA	MING CONTROL COMMISSION
Date:	8/26/2024
File Number:	

BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION

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

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

Petitioner,

v.

FGCC Case No.: 2024-028202

SOUTH FLORIDA RACING ASSOCIATION, LLC d/b/a HIALEAH PARK RACING AND CASINO,

Respondent.

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against South Florida Racing Association, LLC d/b/a Hialeah Park Racing and Casino ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel, slot machine, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.

2. At all times material hereto, Respondent held a pari-mutuel wagering permit pursuant to Section 550.054, and license pursuant to Section 550.0115, both issued by the Commission.

3. At all times material hereto, Respondent held a valid cardroom license number 544 issued by the Commission under section 849.086, Florida Statutes, and operated a cardroom within the meaning of section 849.086(2)(c), Florida Statutes, at its Facility (the "Cardroom").

4. The Cardroom is a Facility operated by the Respondent at all times material hereto, and is located at 2200 East 4th Avenue Hialeah, Florida 33013.

5. During a routine inspection of the Cardroom on or about May 10, 2024, Commission investigators observed a float cart containing impreset trays that was left unsecured on the Poker room floor.

6. Rule 75-11.022(3), Florida Administrative Code, provides:

The cardroom supporting area where unused imprest trays are stored must be a secure area where access is limited to those persons authorized pursuant to subsection 75-11.012(9), F.A.C. If unused imprest trays are not maintained in such secure area, they must be locked and secured to the table under constant surveillance coverage at all times.

7. Based on the foregoing, Respondent violated rule 75-11.022(3), Florida Administrative Code, by failing to ensure that the imprest trays were stored in a secured area.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in section 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2024-028202 is signed this 26th day of August, 2024.

/s/Emily A. Alvarado

Emily A. Alvarado Chief Attorney FBN: 1025200 Florida Gaming Control Commission Office of the General Counsel Division of Pari-Mutuel Wagering 4070 Esplanade Way, Suite 250 Tallahassee, Florida 32399-2202 Telephone: (850) 794-8066 Facsimile: +1 (850) 536-8709 Primary: Emily.Alvarado@flgaming.gov Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS

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

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

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

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VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report	
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Domain 10 - I	Division of	f Pari-M	utuel Wagering						Lo	ogged in as: jhodge
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	1000 - Per Wagering	mit to C	onduct Pari-Mu	rtuel		Status	92 Ready f		Status Date	e 06/24/2024
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Form	INTR - In	ternal		Prior	ity					
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Security	STND - S	Standard	l	Incide	nt 05/	10/2024		Violation	s	Compliance
Region	SR - Sou	thern R	egion	Receive	ed 05/	15/2024		Deleted		Discostilian
Reference	75-11.02	2						Related		Disposition
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region:		Complaint: 0, 2024	Case Number: 2024 02 8202		
PMWSOUTHERNMayRespondent:SOUTH FLORIDA RACING ASSOCIATION, LLC. /HIALEAH PARK RACING AND CASINO100 E. 32nd STREETHIALEAH, FLORIDA 33013			Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309			
	# and Type: I / 1000		ssion: Holder	Report Date: May 15, 2024		
	Period of Investigation: ay 10, 2024 to May 15, 2			Type of Report: Final		
Alleged Violation(s): 75-11.022 - Cardroom Imprest Tray. (3) The cardroom supporting area where unused imprest trays are stored must be a secure area where access is limited to those persons authorized pursuant to subsection 75-11.012(9), F.A.C. If unused imprest trays are not maintained in such secure area, they must be locked and secured to the table under constant surveillance coverage at all times. Synopsis : On May 10, 2024, during a routine facility visit at Hialeah Park Racing and Casino, Surveillance footage was requested from Surveillance Supervisor, William Lantigua to show me video footage of the Float Cart on the cardroom floor. Surveillance video revealed multiple incidents of the Float Cart being left unlocked and unsupervised on the cardroom floor while the cardroom was open to the public (EXHIBIT 1).						
Related Case: Investigator / D	ate :		nvestigator Super	visor / Date:		
Traci Sloan / M			Tyrell D. Smith / June 17, 2024			
Chief of Investigations Date						
Bradford D. Jones / June 24, 2024						

FGCC INVESTIGATIVE REPORT

CONTINUATION

The video review that I conducted revealed that on May 10, 2024, at approximately 0855 hours, Hialeah Park Racing and Casino (HPRC) opened the doors to the public and patrons entered the cardroom. During this time the Float Cart, was left open as the cardroom staff was populating the tables with the imprest trays it contained (**EXHIBIT #2 - VIDEO 1**).

At 09:04 hours Customer Service Liaison (CSL), Christopher Wu closes the top on the cart but did not secure the lock. He later opened the cart without using a key and then applied the padlock to the latch on cart leaving the lock in the open position. He then walked away (EXHIBIT #2 - VIDEO 2).

At 09:14 hours Customer Liaison Wu closed the top on the cart but did not secure the lock. He later opened the cart, at 0917 hours, without using a key. Wu then applies the padlock to the latch on cart <u>leaving the</u> lock in the open position. He then walks away (**EXHIBIT #2 - VIDEO 3**).

At 09:34 hours Poker CSL Isjoel Carratala is observed removing the lock (without using keys used to unlatch) and opening the chip cart. After accessing the cart, Carratala secures the cart with the lock which is latched closed.

At 09:56 hours CSL Wu used a key to unlock the cart and then he applies the padlock to the latch on cart leaving the lock in the open position. He then walks away leaving it unsecure until 10:52 AM, when Carratala comes back to the cart (**EXHIBIT 2 - VIDEO 4**).

At 10:52 hours Carratala approaches the Poker chip cart and removes the unlatched lock (without using a key) and then accesses the chip cart. Afterward Carratala secures the lock onto the cart, latching it closed. The cart is again secure until Wu returns and unlocks it at 12:29 PM.

At 12:29 hours CSL Wu used a key to unlock the cart and he places the lock near the handle of the cart. He then closes the top of the cart and walks away leaving the lock on the handle. CSL Wu returned to the cart at approximately 12:34 hours and put the lock through the latch but left it in the open position and walked away (**EXHIBIT #2 - VIDEO 5**).

Based on the Customer Service Liaison (Wu) repeatedly leaving the Floating Cart unsecured which contained the imprest trays and chips, HPRC is in violation of the above listed rule.

On May 16, 2024, I spoke with Angelo Garcia, HPRC Director of Cardroom Compliance, and advised him of the observed violation. He responded by emailing me a copy of the written warning issued to CSL Wu (**EXHIBIT #3**).

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

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Incident File Full Report



iTrak Incident Reporting and Risk Management System Version 2019.3.2.33901

Incident Number: IN20240000970 Date/Time Occurred: 5/10/2024 2:30:38 PM Day of Week: Friday Created by: wlantigua

Printed By: wlantigua

Printed On: 5/15/2024 at 4:33:30 PM

EXHIBIT 1 PAGE 1

Incident File Full Report Incident File #IN20240000970 **Record Creation Details** Date/Time Occurred: 5/10/2024 2:30:38 PM **Department:** Surveillance Friday Day of Week **Owner:** wlantigua Occurred: **Date/Time Created:** 5/14/2024 1:28:17 PM **Operator ID:** wlantigua Date/Time Closed: **Operator Name:**

Personnel ID: Card Number: Job Position

Secondary Operator: Location of Incident: Hialeah Park Casino **Property:** Location: Poker Room Sublocation: Details of Incident: Daily Log #: DL20240018799 **Incident Type:** Policy & Procedure Violation Specific: Employee **Incident Status:** Open Synopsis: FGCC Traci Sloan requested a review in regards to the observed unlocked chip cart. See report. **Checklist:** Narrative: Created On **Created By** Modified On Modified By 5/14/2024 1:28:18 F wlantigua 5/15/2024 4:24:58 F wlantigua On 10 May 2024 at approximately 2:30PM, Florida Gaming Control Commission (FGCC) Investigation Specialist Traci Sloan requested a review in regards to the chip cart possibly observed unsecured (unlocked) on the Poker floor. Initial incident review determined no procedural violation. Further review was conducted and the following incidents of unsecured cart policy/procedure violations were observed. Incident 1: At 8:55- 9:04 AM, Poker Customer Service Liaison (CSL) Christopher Wu is observed accessing the poker chip cart, removes a chip float/tray and leaves the chip cart opened with the cart cover left open as he walks to table 8. At 9:04-9:14 AM, Wu returns to the cart and closes the cart cover but places the lock hanging by the cart handle area.

Reporting Party:

Closed By:

Supervisor:

Incident File Full Report

Incident File #IN20240000970

At 9:14 AM, Wu is observed replacing the cart cover lock but leaving the lock unlatched.

Incident 2:

At 9:17AM, Wu is observed accessing the chip cart after removing the unlatched lock.

At 9:18:31AM, Wu is observed placing the lock onto the cart cover lock holder and leaving the lock unlatched on the chip cart.

At 9:34AM, Poker CSL Isjoel Carratala is observed removing the lock (no keys used to unlatch) and opens the chip cart. After accessing the cart, Carratala secures the cart with the lock which is latched closed.

Incident 3:

At 9:55AM, Wu is observed using the key to unlatch the lock on the cart and accesses the cart.

At 9:56:19AM, Wu closes the cart lid and places the lock onto the lock holder but leaves the lock unlatched.

At 10:52AM, Carratala approaches the Poker chip cart and removes the unlatched lock (does not use a key) and then accesses the chip cart. Afterward Carratala secures the lock onto the cart, latching it closed.

Incident 4:

At 12:29-12:34PM, Wu unlatches the lock from the cart and proceeds to access the chip cart. Wu then leaves the chip cart unsecured with the lock handing on the handle area of the cart.

At 12:34PM, Wu places the lock on the chip cart but does not close the lock.

At 1:06 PM, Carratala accesses the chip cart by removing the lock (no key used).

Conclusion:

Wu was observed on several incidents leaving the chip cart unsecured while the Poker room is open. FGCC Sloan requested footage of observed violations.

Video saved.

Executive Brief:

On 10 May 2024 at approximately 2:30PM, multiple policy/procedural violations were observed on Poker CSL Christopher Wu leaving the chip cart unsecured (unlocked) on the gaming floor. FGCC Traci Sloan requested video of incidents.

Reporting Party:

Supervisor:

Page 2 / **EXHIBIT** 1 PAGE 3

Incident File Full Report

Participants Involved:

Personnel

Full Name:	Sloan, Traci	Property: Hialeah Park Casino
Role:	FGCC	Department:
Full Name:	Wu, Christopher	Property: Hialeah Park Casino
Role:	Poker CSL	Department:

Reporting Party:

Supervisor:

Media Title

IN20240000970-4

Original Filename

UploadedFile_11367b56ad4a-4de2-8643-7e64a6f55679.Jpeg

Date Attached 5/15/2024 4:32:10 PM

Attached By wlantigua

Туре

JPEG

Size 193318

Media Title IN20240000970-1

Original Filename

UploadedFile_da30dc49-7857-4ef4-abfa-9ee0c5bd76e6.Jpeg

Date Attached 5/15/2024 4:31:40 PM

Attached By wlantigua

Type JPEG



Original Filename

UploadedFile_5ffcd26e-0835-48dd-9d68-3504c85e5e4c.Jpeg

Date Attached 5/15/2024 4:31:50 PM

Attached By wlantigua

Type JPEG

Size 193773

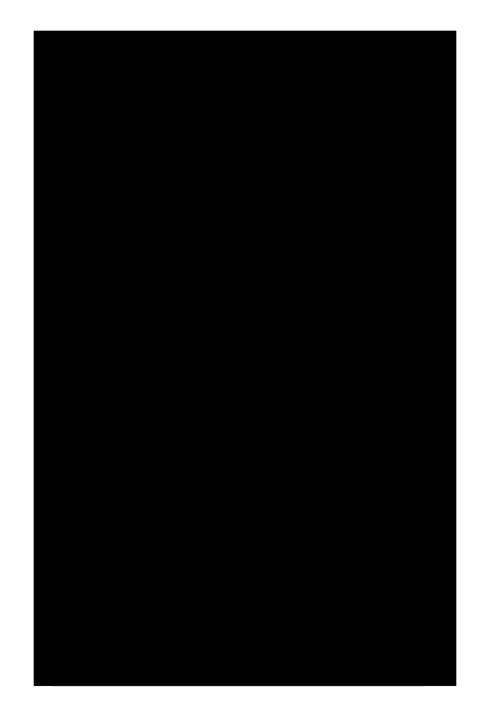
Media Title IN20240000970-5

Original Filename UploadedFile_895d0274-779f-4b76-99df-233aae54eace.Jpeg

Date Attached 5/15/2024 4:32:20 PM

Attached By wlantigua

Type JPEG



Original Filename

UploadedFile_bb027622-1eb0-482f-bb88-0545f8babbbc.Jpeg

Date Attached 5/15/2024 4:32:00 PM

Attached By

wlantigua

Type JPEG

Size

190075





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

PROPERTY RECEIPT

Complaint # 2024 02 8202 Date 5-10-2024 Lab #_____

Item No.	Quantity	Description
1	1	USB HIALEAH 20240018799

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

Signature

Irain Sla

Signature - Impounding Investigator

RETURNED PROPERTY RECEIPT

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

	Signature	Date
Received by: Received by: Received by:	Date: Date: Date:	
Copies for: File, Transmittal, Laborator	ry, Property Receipt	
Form DBPR 11-75 (Revised 01/04)		EXHIBIT 1 PAGE 1



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

PROPERTY RECEIPT

Date 5-14-2024 Lab #____ Complaint # 2024 02 8202

Item No.	Quantity	Description		
1	1	USB HIALEAH 18799 VIDED-2.		
	1			

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

1 re

Signature - Impounding Investigator

RETURNED PROPERTY RECEIPT

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

·	Signature	Date
Received by:	Date:	
Received by:	Date:	
Received by:	Date:	-
Copies for: File, Transmittal, Lak	ooratory, Property Receipt	
Form FGCC 11-75 (Revised 07/22)		EXHIBIT 1
		PAGE 2

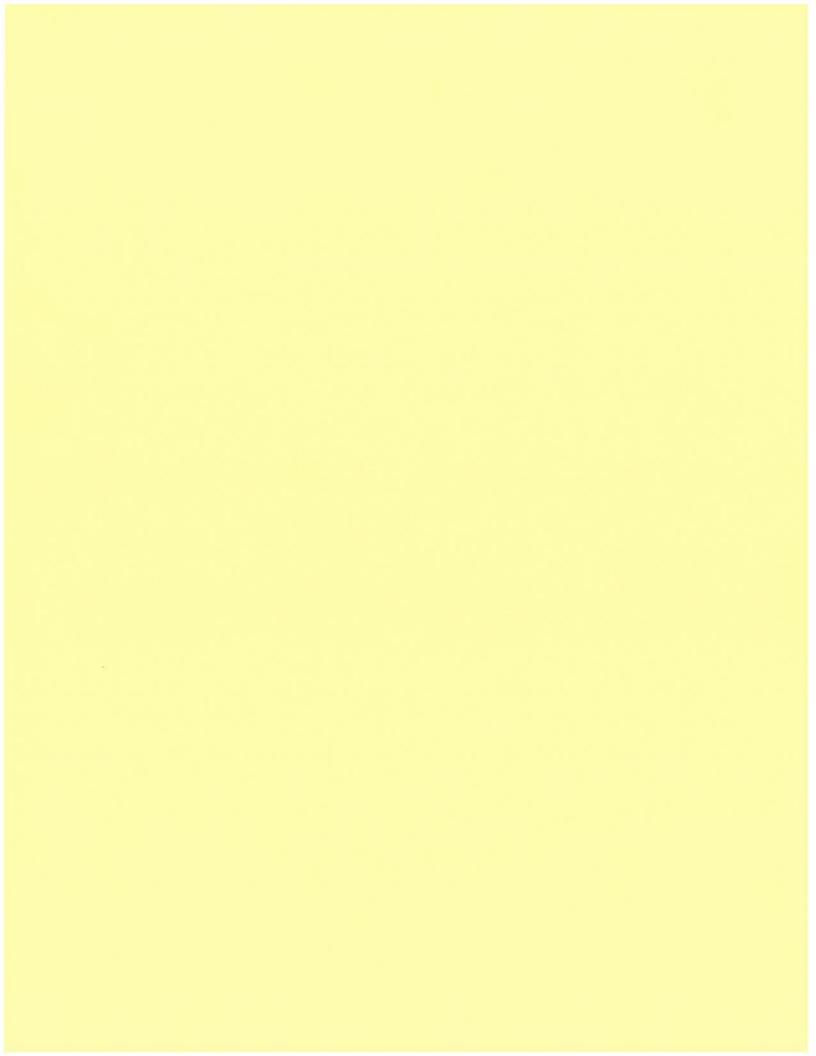


Notice of Company Policy Disciplinary Action

Employee Name: Christopher Wu	Employee No.: <u>439</u>
Date: 05/10/2024 Department: Poker Operations	Job Title: Customer Service Liaison
Description of Infraction: On the above date a review was	done where Christopher Wu left
the poker cart imprest trays unlocked, this is a violation of	f the State of Florida 75-11.012(9), if
unused imprest trays are not maintained in such secure are	ea, they must be locked and secured
under constant surveillance coverage at all times, please a	void repeating this type of violation in
the future and avoid a severe disciplinary action up to faci	ng termination.
NOTICE TO EMPLOYEE: You have been given this notice to ad allow you the opportunity to correct the problem noted al another company policy is violated, you will be subject to including termination.	oove. If the infraction is repeated, or if

Disciplinary Action Taken

Documented Verbal Coun	seling		
X Written Warning 🛛 First	second [🗅 Third	
Suspension 1st 2nd	from:	to	# Days Suspended
Termination Effective	e Date:		
Employee Comments and Confirr	nation of Receipt:		
Employee Signature	andrill	Date:	5/16/24
Employee Signature:	0011540	Date:	21:701
Note: Your signature on this form			
Manager Name Angelo Garcia	Signature: _	8	Date: 05/16/2024
Witness Name: (Witness Name and Signature if e			Date:
			HR USE ONLY Received in HR:



MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Emily Alvarado, Chief Attorney
Re:	FGCC v. Devin Rochford
	Case No. 2024-040400; Consent Order
Date:	January 29, 2025

Executive Summary

Devin Rochford ("Respondent") seeks the adoption of the proposed settlement and consent order to resolve Case No. 2024-040400. Pursuant to the terms of the proposed order, the Respondent will agree to pay an administrative fine in the amount of \$150.

Background

On September 20, 2024, a three-count administrative complaint was filed against Respondent alleging a violation of (1) rule 75-11.004(8)(a), Florida Administrative Code, by failing to clear his hands when cash, chips, or tokens were exchanged with or provided to a player; (2) by failing to tap the tip on the imprest tray when accepting a tip while dealing at a table; and (3) rule 75-11.024(2)(c), Florida Administrative Code, by failing to take a flat fee rake immediately after a winner is declared for a round, hand, or game on six occasions on or about July 14, 2024. Respondent has no prior violations of these rules.

Analysis

Rule 75-11.004(8)(a), Florida Administrative Code, states, in pertinent part, that dealers shall "[c]lear their hands when cash, chips, or tokens are exchanged with or provided to a player."

Rule 75-11.004(4)(a), Florida Administrative Code, states, in pertinent part, that a dealer shall accept tips by "[t]aping the tip on the imprest tray."

Rule 75-11.024(2)(c), Florida Administrative Code, states, in pertinent part, that "[i]f a flat fee rake is used in a game, it shall... [b]e dropped into the table drop box immediately after a winner is declared for a round, hand, or game."

Under section 120.57(4), Florida Statutes, the Commission may resolve matters such as this case informally through a negotiated settlement. As part of settlement negotiations, Respondent is requesting the Commission to consider and agree to the proposed terms set forth in the Consent Order, whereby Respondent will agree to pay an administrative fine in the amount of \$150.

RECEIVED

2025 JAN 13 PH 1:44

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

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

Petitioner,

v.

DEVIN ROCHFORD,

FGCC Case No.: 2024-040400

Respondent. Rochford

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (hereinafter the "Commission") and Devin Rochford (hereinafter "Respondent"), each individually, a "party," and collectively as "parties," hereby agree and stipulate as follows:

WHEREAS, the Commission has jurisdiction over this matter and Respondent; and

WHEREAS, on September 20, 2024, the Commission filed an Administrative Complaint against Respondent, alleging that Respondent violated rules 75-11.004(8)(a), 75-11.004(4)(a), and 75-11.024(2)(c), Florida Administrative Code, by failing to clear his hands when cash, chips, or tokens were exchanged with or provided to a player, failing to tap a tip on the imprest tray while dealing at a table, and failing to take a flat free rake immediately after a winner is declared for a round, hand, or game on six occasions (the "Administrative Complaint") and;

WHEREAS, the parties have negotiated and agreed that the best interest of all the parties will be served by a settlement of these proceedings in lieu of further litigation.

STIPULATION

NOW THEREFORE, in consideration of the mutual promises and recitals herein, the parties hereby agree and stipulate to the following:

1. All recitals herein are true and correct and are incorporated herein.

 All parties agree that the above "whereas" clauses incorporated herein are binding findings of the parties.

 The Commission is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

4. Each party has entered into the terms of this Stipulation and Consent Order voluntarily. Respondent is aware that he is entitled to the advice of counsel and has either sought the advice of counsel or, by execution of this Stipulation and Consent Order, is knowingly waiving the right to have the advice of counsel. Respondent acknowledges that the Commission has not made any promise, nor has it in any other way encouraged Respondent to enter into this Stipulation and Consent Order without the advice of counsel.

5. The parties acknowledge and agree that this Stipulation and Consent Order constitutes the final order in this case and that this Stipulation and Consent Order is enforceable under section 120.69 and chapter 550, Florida Statutes, as final agency action.

6. Respondent, for itself and its related or resulting organizations, successors, transferees, attorneys, heirs, and executors or administrators, discharges the Commission and its agents, representatives, and attorneys, of and from all claims, demands, actions, causes of action, suits, damages, losses and expenses of any and every nature whatsoever, arising out of or in any way related to this matter and the Commission's actions, including, but not limited to, any claims that were or may be asserted in any federal or state court or administrative forum, including any

claims arising out of this agreement, by or on behalf of Respondent or its related or resulting organizations.

Each party shall bear its own costs and attorney's fees.

8. FINE: Respondent agrees to and shall pay to the Commission the sum of ONE HUNDRED FIFTY DOLLARS (\$150.00) 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).

9. Respondent must <u>mail the executed Stipulation and Consent Order and the payment</u> to: the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Tallahassee, Florida 32399-1035, Attention: Emily Alvarado.

10. By executing this Stipulation and Consent Order, the Respondent neither admits nor denies the facts and legal conclusions raised in the Administrative Complaint, and the Commission continues to assert the validity thereof. Nothing in this Stipulation and Consent Order shall be deemed to preclude the Commission from imposing a penalty against Respondent for any future act(s) or omission(s) constituting either a violation of Florida law or the Florida Administrative Code.

11. The parties acknowledge and agree that this Stipulation and Consent Order is subject to the approval of the Commission. The Stipulation and Consent Order will have no force or effect unless and until the Commission files a Final Order adopting this Stipulation and Consent Order. Should this Stipulation and Consent Order be rejected, no statement made in furtherance thereof by Respondent may be used as direct evidence against Respondent in any proceeding. 12. Upon the Commission's adoption of this Stipulation and Consent Order, Respondent agrees to waive any and all appeals and proceedings relating to these proceedings to which it may be entitled, including, but not limited to, an informal proceeding under section 120.57(2), Florida Statutes; a formal proceeding under section 120.57(1), Florida Statutes; appeals under section 120.68, Florida Statutes; and declaratory and all writs of relief in any court or quasicourt of competent jurisdiction; and agrees to waive compliance with the form of the Final Order (findings of fact and conclusions of law) to which it may be entitled, provided, however, that this agreement shall not be deemed a waiver by either party of its right to judicial enforcement of the Stipulation and Consent Order.

13. Venue for any action brought to interpret, enforce, or challenge the terms of this Stipulation and Consent Order and its corresponding Final Order shall lie solely in the Circuit Court of Florida, in and for Leon County, Florida.

14. This Stipulation and Consent Order is executed by the parties for the purpose of avoiding further administrative action with respect to the matters addressed herein. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Stipulation and Consent Order. Should the Commission not accept this Stipulation and Consent Order, it is agreed that presentation to and consideration of this Stipulation and Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

15. This Stipulation and Consent Order may be signed in counterparts, and copies shall be treated as original.

16. This Stipulation and Consent Order is binding upon all parties.

4

17. The parties agree that this serves as notice that the signed Stipulation and Consent Order will be placed on the next available Commission meeting. If Respondent would like to attend, Respondent is responsible for checking the Florida Gaming Control Commission website at https://flgaming.gov for the meeting materials, agenda, and contact information.

18. Respondent authorizes the Commission to correct any typographical errors or make any non-material changes to this Stipulation and Consent Order after it is signed.

[Signature pages to follow]

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This Stipulation and Consent Order for the Florida Gaming Control Commission Case Number 2024-040400 is APPROVED for legal sufficiency this _____ day of _____, 2024.

> Emily Alvarado Chief Attorney The Florida Gaming Control Commission

WHEREFORE, Respondent, **DEVIN ROCHFORD**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 4 day of October, 2024. **DEVIN ROCHF**

Respondent

STATE OF Florida COUNTY OF St. Johns

The foregoing instrument was acknowledged before me, by means of \Box physical presence or \Box online notarization, this 14th day of <u>OCTOBER</u>, 2024, by DEVIN ROCHFORD, who is personally known to me or who produced the following as identification:

KASSANDRA WHITLEY UBLIC LORIDA Kassandra Whitley ND. HH 262600 MY COMMISSION EXPIRES MAY, 09, 2026 Notary Public

My commission expires:



FILED						
	MING CONTROL COMMISSION 9/20/2024					
Date: File Number:						

BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION

FGCC Case No.: 2024-040400

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

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

Petitioner,

v.

DEVIN ROCHFORD,

Respondent.

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Devin Rochford ("Respondent"), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.

2. At all times material hereto, Respondent held a Cardroom Employee Occupational License, number 10707012, issued pursuant to section 849.086(6) Florida Statutes.

3. At all times material hereto, Respondent worked as a poker room dealer at Bestbet

St. Augustine, Inc.

4. At all times material hereto, Bestbet St. Augustine, Inc was a facility operated by a permitholder authorized to conduct pari-mutuel wagering and cardroom operations in the State of Florida under chapters 550 and 849, Florida Statutes.

<u>COUNT I</u>

5. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

6. On or about July 15, 2024, a Commission investigator observed Respondent via the facility surveillance failing to clear his hands on one or more occasion when cash, chips, or tokens were exchanged with or provided to a player.

7. Rule 75-11.004(8)(a), Florida Administrative Code, states, in pertinent part, that dealers shall "[c]lear their hands when cash, chips, or tokens are exchanged with or provided to a player."

8. Based on the foregoing, Respondent violated rule 75-11.004(8)(a), Florida Administrative Code, by failing to clear his hands when cash, chips, or tokens were exchanged with or provided to a player on or about July 15, 2024.

COUNT II

9. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

10. On or about July 15, 2024, a Commission investigator observed Respondent via the facility surveillance failing to tap his tip on the impreset tray while working as a poker dealer.

11. Rule 75-11.004(4)(a), Florida Administrative Code, states, in pertinent part, that a dealer shall accept tips by "[t]aping the tip on the imprest tray."

12. Based on the foregoing, Respondent violated rule 75-11.004(4)(a), Florida Administrative Code, by failing to tap the tip on the imprest tray when accepting a tip while dealing at a table.

COUNT III

13. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

14. On or about July 14, 2024, a Commission investigator observed Respondent via the facility surveillance failing to take a flat fee rake immediately after a winner is declared for a round, hand, or game on six occasions.

15. Rule 75-11.024(2)(c), Florida Administrative Code, states, in pertinent part, that "[i]f a flat fee rake is used in a game, it shall... [b]e dropped into the table drop box immediately after a winner is declared for a round, hand, or game."

16. Based on the foregoing, Respondent violated rule 75-11.024(2)(c), Florida Administrative Code, by failing to take a flat fee rake immediately after a winner is declared for a round, hand, or game on six occasions.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in section 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder. This Administrative Complaint for FGCC Case Number 2024-040400 is signed this 20th day of September 2024.

/s/Emily A. Alvarado

Emily A. Alvarado Chief Attorney FBN: 1025200 Florida Gaming Control Commission Office of the General Counsel Division of Pari-Mutuel Wagering 4070 Esplanade Way, Suite 250 Tallahassee, Florida 32399-2202 Telephone: (850) 794-8066 Facsimile: +1 (850) 536-8709 Primary: Emily.Alvarado@flagaming.gov Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS

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

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

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

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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: CENTRAL		omplaint: 6, 2024	Case Number: 2024 04 0400			
Respondent:	CENTRAL		Complainant:	2024 04 0400			
ROCHFORD, DEV 200 WINDSONG A ST. PETERSBUR TEL# (904) 487-94	ACRES GH, FLORIDA 32086		DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309				
	# and Type:		ssion:	Report Date:			
	012 / 1012 Period of Investigation		DEALER	August 12, 2024 Type of Report:			
	0			FINAL			
v							
Related Case: 202 Investigator / Da			nvestigator Supe	rvisor / Date			
Pandez	Janson	,	S Purt				
Is/	 August 12, 2024		/s/ C. Derek Washington / September 9, 2024				
Chief of Investigat	-			• •			
Bradford D. Jones 1 September 15, 2024							

CONTINUATION

During a scheduled bi-weekly inspection of the cardroom at St. Augustine's Best Bet on July 15, 2024, it was discovered that Poker Room Dealer, Devin **ROCHFORD** (PMW LIC# 10707012) did not adhere to the required procedures. Specifically, **ROCHFORD** failed to tap his tip on the imprest tray after receiving the tip while dealing at his designated table, he neglected to clear his hands when exchanging chips with or providing them to players and failed to take a flat fee rake on multiple occasions.

Careful examination of the surveillance video evidence from St. Augustine Best Bet from July 15, 2024, showed that **ROCHFORD**, on multiple occasions, failed to tap his tip on the imprest tray after receiving a tip and neglecting to clear his hands when exchanging chips with or providing them to players. Additionally, the video also shows **ROCHFORD** neglected to take a flat fee rake on several occasions:

Fail to take Rake:

- 11:32 AM; Respondent failed to take a flat fee rake and a jackpot rake from a bomb pot which a double rake is taken.
- 11:33 AM; Respondent failed to take a flat fee rake and a jackpot rake.
- 11:46 AM; Respondent failed to take a flat fee rake.
- 11:54 AM; Respondent failed to take a flat fee rake and a jackpot rake.
- 11:57 AM; Respondent failed to take a flat fee rake.
- 12:01 PM Respondent failed to take a flat fee rake.

Upon review of surveillance, it became evident that **ROCHFORD** had violated the above-cited rules. These violations occurred multiple times during his time at table #13 from approximately 11:30 AM to 12:09 PM.

Additionally, during the time from approximately 12:10 PM to 12:33 PM, **ROCHFORD**, while assigned to Table #33, neglected to ensure the proper movement of the button¹ around the card table in a clockwise fashion, which is crucial for providing each player with an equal opportunity. A case has also been opened against the facility (Case #2024-04-5025) for additional violations discovered during the inspection for which the facility is responsible.

A review of the Versa Regulation Enforcement database revealed that **ROCHFORD** does not have any previous violations on record. However, this case will be referred to Legal for further review despite the past practice of issuing a verbal warning to individuals with no prior enforcement record because **ROCHFORD** has committed multiple violations.

Case Status: Investigations case closed and forwarded to Legal for further review.

¹ The "Button" is a circular object moved clockwise around a poker table to denote the assigned dealer for each hand.

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FAO | Help | Sign Out

Domain	10 -	Division	of	Pari-Mutuel	Wagering
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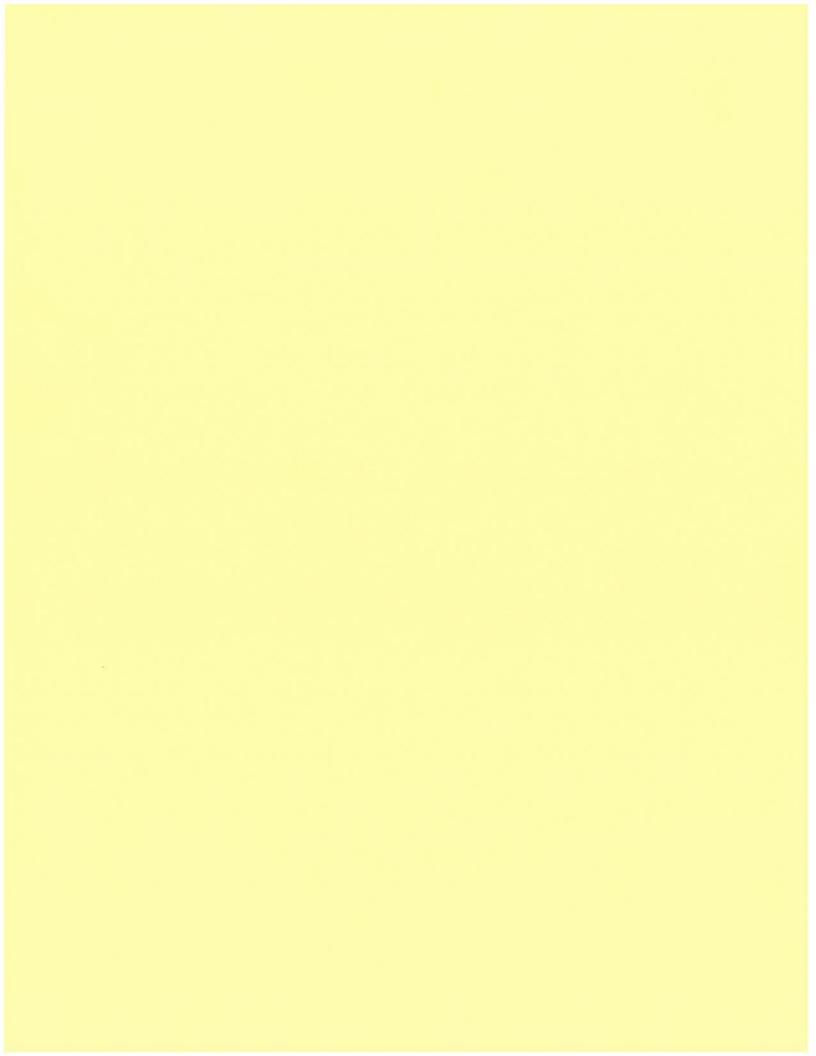
Logged in as: jhodge

VR Home > Complaint Search > Maintain Complaint > License Home

License]	Licensee
Fed Tax #	Li	с Туре	1012 - Card	roor	n .	Ex	pires On 06/30/202	7		History
File # 8			Employee (ROCHFORI		•		ended To			Notes
			CEMP - Car							Notes History
License # 1	10707012	Rank	Employee (Ren	ewed On 06/06/2024	4		Back
Entity # 1	10707012 Lic	Status	Current							
Address]	
Street # 2	00 Street	WINDS	ONG ACRES	6						
Line 2										
Line 3										
City	SAINT AUGUSTINE		State FL				Zip 32086			
	Rou	uting								
Other										
1st License	Date 12/16/20	21	Rank Date	06/	/06/2024		Certificate #			
Me	ethod I-S-1024	ļ	Status Date	12/	/16/2021	Ce	rtificate Date			
Fee Ex	empt No		Birth Date			R	enewal Sent			
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L	148 - Orange			nc.	05/27/2017	_				
Y	3YR - 3 Year	License)		03/05/2015)				
Alt Keys	BEST	LIC NB	R 10707012							

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MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Emily Alvarado, Chief Attorney
Re:	FGCC v. Bestbet Orange Park, Inc.
	Case No. 2024-061325; Consent Order
Date:	January 29, 2025

Executive Summary

Bestbet Orange Park, Inc. ("Respondent") seeks the adoption of the proposed settlement and consent order to resolve Case No. 2024-061325. Pursuant to the terms of the proposed order, the Respondent will agree to pay an administrative fine in the amount of \$500.

Background

On December 3, 2024, an administrative complaint was filed against Respondent alleging a violation rule 75-11.015(1), Florida Administrative Code, by failing to secure the lock on the imprest tray to ensure that all chips and tokens not in play are locked in a secured location. Specifically, on October 25, 2024, Commission investigators observed an unsecured imprest tray, which contained \$1,200 in chips at a table. Respondent has one prior violations of this rule.¹

Analysis

Rule 75-11.015(1), Florida Administrative Code, provides "[a]ll chips and tokens not in play or which are not available for play or use that day shall be locked in a secure location."

Under section 120.57(4), Florida Statutes, the Commission may resolve matters such as this case informally through a negotiated settlement. As part of settlement negotiations, Respondent is requesting the Commission to consider and agree to the proposed terms set forth in the Consent Order, whereby Respondent will agree to pay an administrative fine in the amount of \$500.

¹ Case Number 2020-013532, resulted in a \$250 fine for this rule violation.

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

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

Petitioner,

v.

BESTBET ORANGE PARK, INC,

FGCC Case No.: 2024-061325

Respondent.

_____/

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (hereinafter the "Commission") and Bestbet Orange Park, Inc. (hereinafter "Respondent"), each individually, a "party," and collectively as "parties," hereby agree and stipulate as follows:

WHEREAS, the Commission has jurisdiction over this matter and Respondent; and

WHEREAS, on December 3, 204, the Commission filed an Administrative Complaint against Respondent, alleging that Respondent violated rule 75-11.0115(1), Florida Administrative Code, by failing to secure the lock on the imprest tray to ensure that all chips and tokens not in play are locked in a secured location (the "Administrative Complaint"); and

WHEREAS, the parties have negotiated and agreed that the best interest of all the parties will be served by a settlement of these proceedings in lieu of further litigation.

STIPULATION

NOW THEREFORE, in consideration of the mutual promises and recitals herein, the parties hereby agree and stipulate to the following:

1. All recitals herein are true and correct and are incorporated herein.

2. All parties agree that the above "whereas" clauses incorporated herein are binding findings of the parties.

3. The Commission is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

4. Each party has entered into the terms of this Stipulation and 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 Stipulation and Consent Order, is knowingly waiving the right to have the advice of counsel. Respondent acknowledges that the Commission has not made any promise, nor has it in any other way encouraged Respondent to enter into this Stipulation and Consent Order without the advice of counsel.

5. The parties acknowledge and agree that this Stipulation and Consent Order constitutes the final order in this case and that this Stipulation and Consent Order is enforceable under section 120.69 and chapter 550, Florida Statutes, as final agency action.

6. Respondent, for itself and its related or resulting organizations, successors, transferees, attorneys, heirs, and executors or administrators, discharges the Commission and its agents, representatives, and attorneys, of and from all claims, demands, actions, causes of action, suits, damages, losses and expenses of any and every nature whatsoever, arising out of or in any way related to this matter and the Commission's actions, including, but not limited to, any claims that were or may be asserted in any federal or state court or administrative forum, including any claims arising out of this agreement, by or on behalf of Respondent or its related or resulting organizations.

7. Each party shall bear its own costs and attorney's fees.

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8. **FINE**: Respondent agrees to and shall pay to the Commission the sum of **FIVE HUNDRED DOLLARS (500.00)**. The payment shall be received by the Commission within thirty (30) days of filing of the Final Order Adopting the Settlement and Consent (the "Final Order") with the Commission. 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).

9. Respondent must <u>mail the executed Stipulation and Consent Order to</u>: the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Tallahassee, Florida 32399-1035, Attention: Emily Alvarado.

10. By executing this Stipulation and Consent Order, the Respondent neither admits nor denies the facts and legal conclusions raised in the Administrative Complaint, and the Commission continues to assert the validity thereof. Nothing in this Stipulation and Consent Order shall be deemed to preclude the Commission from imposing a penalty against Respondent for any future act(s) or omission(s) constituting either a violation of Florida law or the Florida Administrative Code.

11. The parties acknowledge and agree that this Stipulation and Consent Order is subject to the approval of the Commission. The Stipulation and Consent Order will have no force or effect unless and until the Commission files a Final Order adopting this Stipulation and Consent Order. Should this Stipulation and Consent Order be rejected, no statement made in furtherance thereof by Respondent may be used as direct evidence against Respondent in any proceeding.

12. Upon the Commission's adoption of this Stipulation and Consent Order, Respondent agrees to waive any and all appeals and proceedings relating to these proceedings to which it may be entitled, including, but not limited to, an informal proceeding under section

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120.57(2), Florida Statutes; a formal proceeding under section 120.57(1), Florida Statutes; appeals under section 120.68, Florida Statutes; and declaratory and all writs of relief in any court or quasicourt of competent jurisdiction; and agrees to waive compliance with the form of the Final Order (findings of fact and conclusions of law) to which it may be entitled, provided, however, that this agreement shall not be deemed a waiver by either party of its right to judicial enforcement of the Stipulation and Consent Order.

13. Venue for any action brought to interpret, enforce, or challenge the terms of this Stipulation and Consent Order and its corresponding Final Order shall lie solely in the Circuit Court of Florida, in and for Leon County, Florida.

14. This Stipulation and Consent Order is executed by the parties for the purpose of avoiding further administrative action with respect to the matters addressed herein. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Stipulation and Consent Order. Should the Commission not accept this Stipulation and Consent Order, it is agreed that presentation to and consideration of this Stipulation and Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

15. This Stipulation and Consent Order may be signed in counterparts, and copies shall be treated as original.

16. This Stipulation and Consent Order is binding upon all parties.

17. The parties agree that this serves as notice that the signed Stipulation and Consent Order will be placed on the next available Commission meeting. If Respondent would like to attend, Respondent is responsible for checking the Florida Gaming Control Commission website

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at https://flgaming.gov for the meeting materials, agenda, and contact information. Respondent is not required to attend the Commission meeting.

18. Respondent authorizes the Commission to correct any typographical errors or make any non-material changes to this Stipulation and Consent Order after it is signed.

[Signature pages to follow]

Respondent, BESTBET ORANGE PARK, INC. requests that the Commission enter a Final Order approving and incorporating this Stipulation and Consent Order in resolution of this matter.

Signed this <u>3</u> day of <u>January</u> 2025.

Deborah Chardina BESTBET ORANGE PARK, INC, Respondent

Signed on behalf of Bestbet Orange Park, Inc by:

DEBORAH GIARDINA Printed Name <u>V.P. POKER OPERATIONS</u>

STATE OF FLORIDA

COUNTY OF JUNAL

The foregoing instrument was acknowledged before me, by means of D physical presence or □ online notarization, this 3rd day of Jahuary , 2025, by a duly authorized representative of Bestbet Orange Park, Inc, who is personally known to me or who produced the following as identification:

Charline E. Small

Notary Public

My commission expires: September 08, 2026 CHARLINE E SMALL NOTARY PUBLIC STATE OF EL OPIDA STATE OF FLORIDA NO. HH 300135 MY COMMISSION EXPIRES SEP. 08, 2026

This Stipulation and Consent Order for the Florida Gaming Control Commission Case
Number 2024-061325 is APPROVED for legal sufficiency this _____ day of
_____, 2025.

Emily Alvarado Chief Attorney The Florida Gaming Control Commission

	FILED					
FLORIDA GAMING CONTROL COMMISSION						
Date:	12/03/2024					
File Number:						
BY:	MELBA L. APELLANIZ					

CLERK OF THE COMMISSION

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

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

Petitioner,

v.

BESTBET ORANGE PARK, INC,

Respondent.

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Bestbet Orange Park, 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 permit pursuant to Section 550.054, and license pursuant to Section 550.0115, both issued by the Commission.

3. At all times material hereto, Respondent held a valid cardroom license number 148 issued by the Commission under section 849.086, Florida Statutes, and operated a cardroom within the meaning of section 849.086(2)(c), Florida Statutes, at its Facility (the "Cardroom").

4. The Cardroom is a Facility operated by the Respondent at all times material hereto, and is located at 455 Park Avenue Orange Park, Florida 32073.

FGCC Case No.: 2024-061325

5. During a routine inspection of the Cardroom on or about October 25, 2024, Commission investigators observed an unsecured imprest tray, which contained \$1,200 in chips at a table.

6. Rule 75-11.015(1), Florida Administrative Code, provides "[a]ll chips and tokens not in play or which are not available for play or use that day shall be locked in a secure location."

7. Based on the foregoing, Respondent violated Rule 75-11.015(1), Florida Administrative Code, by failing to secure the lock on the imprest tray to ensure that all chips and tokens not in play are locked in a secured location.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in section 849.086(14), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2024-061325 is signed this 25th day of November 2024.

/s/Emily A. Alvarado

Emily A. Alvarado Chief Attorney FBN: 1025200 Florida Gaming Control Commission Office of the General Counsel Division of Pari-Mutuel Wagering 4070 Esplanade Way, Suite 250 Tallahassee, Florida 32399-2202 Telephone: (850) 794-8066 Facsimile: +1 (850) 536-8709 Primary: Emily.Alvarado@flgaming.gov Secondary: Ebonie.Lanier@flgaming.gov

NOTICE OF RIGHTS

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

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

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

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VR Home	Inbox Entity	Applicatio	n License	e Cash E	xam	Inspection E	nforcement	Report
Complaint S Update M	earch Change lass Status Update	Recording Lice Public Cas		Delete Com	plaint	Mass Activi	ty Update	Mass Discipline
Domain 10 - I	Division of Pari-	Mutuel Wager	ing				L	ogged in as: jhodge
VR Home >	Complaint Search	n > Maintain (Complaint					
	Lic Type 1002 - Cardroom License Status 90 Closed Status Date 11/18/2024							
	Complaint # 2024061325 Case Type CMP - Disposition Disposition Date							
Docket#	F	C Respondent P K	ESTBET DRANGE ARK F ENNEL, NC.	Responsible		nes - JONES, ADFORD		Private Case
Complaint	Respondent	Complainar	nt Addt'l In	nfo				
Source	INTN - Internal	Securit	y Level 1		_			A - 12 - 212
Form	INTR - Internal		Priority			Parties	✓	Activities
Class'n	V-C - Cardroom Violations	Con	nplexity R - I	Regular	√	Allegations	s 🗆 🗆 🗌	Discipline
Security	STND - Standar	d I	ncident 10/2	25/2024				
Region	CR - Central Region	Re	eceived 10/2	25/2024		Violations		Compliance
Reference	75 - 11.015					Related		Disposition
Entered	10/25/2024	Ente	ered By jhoo	dge				
	148 - ORANGE Chips and Toke routine inspecti	ns - On Octo on of the car	ber 25, 2024 droom at the	, during a e Best Bet		Inspection		
	Orange Park po compliance isso lid of the Impres	ue. Specifical st Tray, which	ly, I noticed was locate	that the d on Table		Costs		
Summary	#30, was not se examination, I f	ound that the	lid could be	e easily		Time Trackin	ng	Auto Assign
	removed by har mismanagemen chips at the tim constitutes a cl	nt. The tray co e of the inspe	ntained \$12 ection. This	200 in situation		Attachment	s	History
	regulations des integrity of the			irity and		Work Notes	s [Print Report
Updated	11/18/2024 12:2	8:39	By jhoo	dge				
	Char	ige	Save		ЭK	Car	ncel	Back
L						×	Get Adobe	Reader.

https://vrprod12c.dbpr.state.fl.us/le5/faces/jsp/enforcement/NF12MaintainComplaint.jsp 11/18/2024



Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:			nplaint:	Case Number:		
PMW	NORTHERN	October 25, 2024 2024 06 1325					
Respondent:		Compl	ainant	:			
201 MONUMENT R JACKSONVILLE, F		OFFIC 1400 V	DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309				
(904) 646-0001							
License #	f and Type:	P	rofess	ion:	Report Date:		
148	-1002	C	ardro	om	November 6, 2024		
	eriod of Investigatior				Type of Report:		
	2024 through Nove	mber 6, 2024	Final				
 Alleged Violation: 75-11.015 Chips and Tokens. (1) All chips and tokens not in play or which are not available for play or use that day shall be locked in a secure location. Synopsis: On October 25, 2024, during a routine cardroom inspection, at the BEST BET ORANGE PARK poker room, I found the lid of the Imprest Tray on Table #30 which contained \$1,200.00 in chips, was loose enough to be removed by hand. This is a violation of the above cited rule. 							
Related Case(s):	2020 01 3532						
Investigator / D			Inv	Investigation Manager / Date			
1s/ Chill Tayle		/s/	C. Deut 3/10/02				
,	vember 6, 2024		С.	Derek Washin	igton / November 14, 2024		
Chief of Investigations / Date /s/ Bradford D. Jones / November 18, 2024							

CONTINUATION

Investigative Activity:

On October 25, 2024, during a routine cardroom inspection, at the **BEST BET ORANGE PARK** poker room, while verifying that all imprest tray lids were properly installed and secured, Table #30's imprest tray lid was found to be loose enough to be removed by hand exposing a full bank of poker chips valued at \$1,200.00. A photo of the imprest trey was taken and is attached herein as **EXHIBIT #1.**

Immediately upon making this discovery, I informed Janet T. Adams (Lic. #8237204 - 1012-2027), Floor Manager of the incident and she immediately tightened and resecured the imprest tray lid to the imprest tray and relocked the tray to Table #30. Adams informed me later that same day that the **BEST BET ORANGE PARK** maintenance department advised her they would be purchasing some blue Loctite to prevent this from happening again.

On November 6, 2024, during a routine inspection of the facility, I conducted another evaluation of Table #30's imprest tray lid. Upon testing, I confirmed that the lid was securely fastened and operating as intended. Furthermore, I took the opportunity to discuss with Adams the maintenance department's plan to apply Loctite to all imprest tray lids as soon as possible. Adams assured me that this task is of high importance and was already scheduled for implementation.

A check of the Versa Regulation Enforcement database shows one prior violation of the above-stated Rule, Case 2020 01 3532 which resulted in a Consent Order and a \$500.00 fine¹ (EXHIBIT #2).

In conclusion, after reviewing all relevant information, it has been determined that **BEST BET ORANGE PARK** is in violation of the previously cited regulations due to their failure to identify that the imprest tray lid had become unsecured.

Case Status: Investigations case closed. Referred to Legal for review.

¹ Part of a consolidated resolution also involving cases #2020-05-1881 and 2021-02-4498 comprising a total fine of \$1,000.00.

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3.	Prior case and Consent Order	1-11

FAO I Heln I Sign Out

Logged in as: cwtaylor

ľ	VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
	License Sear	ch Er	ntity Search	Modify Lic	ense Standin	g Mai	ntain Licen	se CE Control		

VR Home > License Search > License Home

License							Licensee
Fed Tax :	# Lic Type	1002 - Cardroom	n License	Expires On	06/30/2025		History
File	# 49 Name	BESTBET ORAN KENNEL, INC.	IGE PARK	Extended To			Notes
License	# 148 Rank	CLIC - Cardroom		Renewed On			Notes History Back
Entity	# 148 Lic Status		36				Dack
Address	; ;						
Street #	# 201 Street MONU	MENT ROAD					
Line 2	2						
Line 3	3						
Cit	y JACKSONVILLE	State FL		Zip 32	225		
	Routing						
Other							
1st Licen	ise Date 03/18/2024	Rank Date 03/1		Certificat	e #		
	Method I-S-1020	Status Date 01/0	04/2008	Certificate D			
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Туре	Modifier		Effective Date	Additiona	al Info		
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DBA	bestbet						
Alt Keys						-	
	BEST LIC NB	R 148					
						1	

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Logged in as: cwtaylor

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
License Sear	ch Er	tity Search	Modify Lice	ense Standin	g Mai	ntain Licen	se CE Control		

Domain	10 -	Division	of F	ari-Mutuel	Wagering
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License							Licensee	
Fed Tax # Lic Type 1012 - Cardroon				vpires On 06/30/202	27		History	
File # 4	1238 Name	ADAMS, JANET	•				Notes	
		CEMP Cardro	om				Notes History	
License # 8	3237204 Rank	Employee Occu		ewed On 06/12/202	24		Back	
Entity # 8	3237204 Lic Status	Current						
Address								
Street # 1	627 Street PLAYE	ERS CLUB DR						
Line 2								
Line 3								
City F	LEMING ISLAND	State FL		Zip 32003				
	Routing							
Other								
1st License	Date 06/20/2018	Rank Date 06/	/12/2024	Certificate #				
Me	ethod I-S-1024	Status Date 06/	/20/2018 Ce	rtificate Date				
Fee Ex	empt No	Birth Date	R	enewal Sent				
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Action								
Modifiers								
× ++								
Туре 🟞	Modifier	Ť4	Effective Date [†]	Additional Info	14			
С	CMAN - Cardroom M	lanager	05/27/2018					
1	GHND - Greyhound							
L	148 - Orange Park K	ennel Club, Inc.	05/17/2015					
Y	3YR - 3 Year License	9	06/15/2012					
Alt Keys								
	BEST LIC NB	R 8237204						
							eader.	

FILED Department of Business and Professional Regulation						
Senior Deputy Agency Clerk						
CLERK	Brandon Nichols					
Date	7/13/2021					
File #	2021-04896					

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.: 2020-013532 2020-051881 2021-024498

ORANGE PARK KENNEL CLUB, INC ,

Respondent.

STIPULATION AND CONSENT ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Division"), and Orange Park 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 148-1002, issued by the Division

- 2 This Consent Order is to be entered in resolution of
 - DBPR Case Number 2020-013532, alleging that on March 4, 2020, Respondent was in violation of:
 - Rule 61D-11.015(1), Florida Administrative Code, by failing to lock all chips and tokens not in play or not available for play or use in a secure location.
 - Rule 61D-11.020(1)(a), Florida Administrative Code, by failing to ensure each table had a drop box marked with a permanent number corresponding to the table number it is assigned.



- b. DBPR Case Number 2020-051881, alleging that on October 3, 2020, Respondent was in violation of Rule 61D-11.014(4)(b), Florida Administrative Code, by failing to remove the entire deck of cards containing a damaged card.
- c. DBPR Case Number 2021-024498, alleging that on May 26, 2021, Respondent was in violation of Rule 61D-11 015(1), Florida Administrative Code, by failing to lock all chips and tokens not in play or not available for play or use in a secure location.

STIPULATION

WHEREAS the Division and Respondent ("Parties"), desire to resolve this matter, the following terms are stipulated:

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

 This Consent Order is enforceable under Section 120.69, and Chapter 550, Florida Statutes, as a final agency action.

 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.

2020-013532 2020-051881 2021-024498 The Parties acknowledge and agree that this Consent Order constitute the final order in this case, and they also acknowledge and agree to waive any further administrative and judicial review.

 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.

 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.

FINE: Respondent agrees to, and must pay to the Division, the sum of ONE
 THOUSAND DOLLARS (\$1000.00), at the time Respondent submits an executed copy of this
 Consent Order. The fines are assessed as follows:

- a. 2020-013532: \$500.00
- b. 2020-051881: \$250.00
- c. 2021-024498: \$250.00

12. The payment must be in the form of a certified check or money order, made payable to the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering. (NO PERSONAL CHECKS). Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

13 Respondent must mail this Consent Order and the payment to: Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Patricia Broadway. Please note DBPR Case Numbers 2020-013532, 2020-051881, and 2021-024498 on the face of the check. 14. The Parties acknowledge and agree that this Consent Order is subject to the approval of the Director of the Division of Pari-Mutuel Wagering or other authorized agent of the Department of Business and Professional Regulation ("Director"). The Consent Order will have no force and effect unless signed by the Parties. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

15. Upon the Division's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

16. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Director to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Director not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Director shall not unfairly or illegally prejudice the Director from further participation, consideration, or resolution of these proceedings.

This Consent Order may be signed in counterparts, and copies shall be treated as original.

18 Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed. Respondent, ORANGE PARK KENNEL CLUB, INC., agrees and consents to the terms

and conditions of this Stipulation and Consent Order in DBPR Case Numbers 2020-013532,

2020-051881, and 2021-024498, this 23 day of _____, 2021.

Jurtine KENNEL CLUB, INC., PARK/ ORANGE

Respondent

Signed on behalf of Orange Park Kennel Club, Inc. by:

DEBORAH GIARDINA Printed Name V. P. Poker Operations

STATE OF FLORIDA

COUNTY OF DUVAL

1	The fo	oregoing	instrument	was ac	knowledged	before	me, by	means o	of 🕒 phys	ical
presence	e or	🗆 onla	ne notariza	ation, th	nis 23-4	lay of	J	ine	_, 2021,	by
De	bor	rah 6	fiardi	🔨 who	is personal	lly know	vn to ma	e or who	produced	the

following as identification:

Charlin E. Succe

Notary Public

My commission expires: 09/08/2022

CHARLINE E. SMALL Notary Public, State of Florida My Comm. Expires 09/08/2022 Commission No. GG244120

2020-013532 2020-051881 2021-024498

Page 5 of 6

EXHIBIT # PAGE 5/11 This Stipulation and Consent Order in DBPR Case Numbers 2020-013532, 2020-051881, and 2021-024498 is APPROVED for legal sufficiency this <u>30</u> day of <u>June</u>, 2021.

EMILY A. LEIVA Assistant General Counsel Division of Pari-Mutuel Wagering Department of Business and Professional Regulation

<u>ORDER</u>

IT IS HEREBY ORDERED THAT:

The foregoing Stipulation and Consent Order shall constitute the agreed resolution of this matter and the Final Order of the Division in DBPR Case Numbers 2020-013532, 2020-051881,

and 2021-024498, once it is filed with the Agency Clerk.

DONE AND ORDERED this <u>6</u> day of <u>,</u> 2021, in Tallahassee,

LOUIS TROMBETTA, DIRECTOR Division of Pari-Mutuel Wagering Department of Business and Professional Regulation 2601 Blair Stone Road Tallahassee, Florida 32399-1035

CERTIFICATE OF SERVICE

I hereby certify this 13th day of _ , 2021, that a true copy of the July

foregoing has been furnished by U.S. mail to:

Orange Park Kennel Club, Inc. c/o T.J. Morton, Esquire The Lockwood Law Firm 106 East College Avenue, Suite 810 Tallahassec, Florida 32301

endon M. Nichols

AGENCY CLERK'S OFFICE Department of Business and Professional Regulation

CC: Ebonie Lanier



								F	AO I Heln	L Sign Out
VR Home	Inbox Entity	/ Application	License	Cash	Exam	Inspection	n Enforce	ement	Report	
Complaint S Mass Status		Recording Licens : Case Info	e Type Del	lete Complai	nt	Mass Activity U	Update M	lass Dis	cipline Updat	e
Domain 10 - Division of Pari-Mutuel Wagering Logged in as: Imuniz										
VR Home >	Complaint Search	> Maintain Co	omplaint							
Lic Type	1002 - Cardroom			Sta	tus 90	Closed	ŝ	Status D	Date 04/13/	2020
Complaint #	2020013532	Case Type	CMP - Complaint	Disposit	ion		Dispo	sition E	Date	
Docket#		Respondent	ORANGE PARK KENNEL CLUB, INC.	Responsi		vtaylor - TAYL HARLES W	LOR,		Privat	e Case
Complaint	Respondent	Complainant	Addt'l Info							
Source	INTN - Internal		Security Leve	el 1			Parties		Activit	ties
Form	INTR - Internal		Priority	у			Allegations		Discip	line
Class'n	V-C - Cardroom Violations		Complexity	y R - Regu	lar		Violations		Complia	
Security	STND - Standar	d	Inciden	t 03/04/20	20					
Region	CR - Central Re	gion	Received	d 03/05/20	20		Related	4	Dispos	
Reference	61D-11.015(1)/6	1D-11.020(1)(a))				Inspection			
Entered	03/13/2020		Entered B	y Imuniz			Costs			
Summary	148-Orange Par . Chips and Tok On March 4, 20 Bestbet, Orang Table #30 was f by hand exposi had the Drop box the Drop box fr the above cited	tens / Drop Boz 19, during a ro e Park poker ro ound to be loo ng a full bank ox from Table # om Table #15 i rules.	k and key Cor utine cardroo oom, the Impr se and I was of poker chip #16 installed a nstalled. This	ntrol Proce om inspect rest tray lid able to rer s. Also, Ta and Table s is a violat	edures ion at d on nove i ble #1 #16 ha	:	ime Tracking Attachments Work Notes	9	Auto As Histo Print Re	ory
Updated	04/13/2020 13:5	0:59	By	y Imuniz						
31		Chan	ge	Save		OK	Can	cel	Ba	ick





Halsey Beshears, Secretary

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of Complain	nt:	Case Number:			
PMW	NORTHERN		13, 2020	2020 01 3532			
Respondent:			Complainant:				
ORANGE PARK P P. O. Box 959 Orange Park, Flori	KENNEL CLUB, INC		STATE OF FLORIDA, DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF PARI-MUTUEL WAGERING				
904-646-0001							
License # and Typ		Profession:	Report Date:				
	<u>8-1002</u>	Card	room	March 20, 2020			
Period of Investiga		20	Type of Report				
March 13, 2020 through March 20, 2020 Final Alleged Violation: 61D-11.015 Chips and Tokens. (1) All chips and tokens not in play or which are not available for play or use that day shall be locked in a secure location. 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: (a) Marked with a permanent number corresponding to the table number to which the drop box is assigned;							
room, Table #30's	Imprest tray lid was	found unsecured	exposing a full ba	PARK KENNEL CLUB poker ank of poker chips. In addition, cies are violations of the above-			
Investigator / Date	9		nvestigator Superv	visor / Date			
151 Chill Taylor		/	1st C. Deut Whating				
CW Taylor / March 20, 2020			C. Derek Washington / March 20, 2020				
Chief of Investigati		s/	them E.K.	ogn			
Steven E. Kogan	/ April 13	, 2020					



CONTINUATION

Investigative Activity:

On March 4, 2020, during a routine cardroom inspection at the **ORANGE PARK KENNEL CLUB** poker room, while verifying that all drop boxes and Imprest tray lids were properly installed and secured, Table #30's Imprest tray lid was found to be loose and I was able to remove it by hand exposing a full bank of poker chips. A photo was taken **(EXHIBIT #1).**

Also, while verifying that all drop boxes were properly installed and locked in the tables, Table #15 had the drop box from Table #16 installed in it and Table #16 had the drop box from Table #15 installed in it. Photos were taken **(EXHIBITS #2 - #3)**.

On March 4, 2020, an Open Case Request was executed in this case.

On March 4, 2020, I contacted Floor person Jason R. **OSTEEN** (8238078-1012-2021) about the Imprest tray on Table #30 and informed him of the situation. It was determined that the lock nut on the Imprest tray lid lock had come loose. **OSTEEN** repaired and re-installed the Imprest tray lid and it was tested and determined to be secure.

OSTEEN then obtained the drop box keys from the Count team and with a Security escort he removed, reset and reinstalled the drop boxes in their proper table locations before play could begin on the tables. I discussed the incident with **OSTEEN** and he stated that they have hired several new chip runners recently, which perform the drop in the evenings, and that they apparently need to be supervised better.

ORANGE PARK KENNEL CLUB was found to be in violation of the above-cited rules because they did not discover that the Imprest tray lid had become unsecure and because I found the wrong drop boxes placed in the wrong tables.

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

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II.	INVESTIGATIVE REPORT
III.	EXHIBITS
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	2. Photo of Table #16 Drop Box inserted into Table #151-1
	3. Photo of Table #15 Drop Box inserted into Table #161-1
	4. License Info1-2



5. Discussion of recommended orders

MEMORANDUM

To:	The Florida Gaming Control Commission				
From:	Division of Pari-Mutuel Wagering				
Through:	Justin Hundersmarck, Senior Attorney				
Re:	Christopher A. Van Hassel FGCC; Case No. 2023-064914				
Date:	February 3, 2025				

Executive Summary

Christopher A. Van Hassel ("Petitioner") submitted an application for a pari-mutuel wagering professional individual occupational license (the "Application"). Following review of the Application submitted by Petitioner, the Commission issued a Letter of License Denial, notifying Petitioner of its intent to deny the Application based on Petitioner's felony conviction. Petitioner requested an informal hearing, which was held on December 10, 2024. On January 31, 2025, the informal Hearing Officer recommended denying Petitioner's Application. The Division of Pari-Mutuel Wagering recommendes the Florida Gaming Control Commission adopt the Hearing Officer's recommended order and deny Petitioner's application for a pari-mutuel wagering professional individual occupational license.

Pertinent Facts

On December 18, 2023, the Executive Director, having reviewed the waiver report and all relevant information and documents, declined to waive the restrictions excluding offenders. On February 7, 2024, the Commission issued a Letter of License Denial, notifying Petitioner of its intent to deny the Application based on Petitioner's felony conviction. Specifically, Petitioner was convicted of:

Criminal Attempt - Criminal Trespass - Break Into Structure

On August 12, 2024, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes. At the informal hearing that was held on December 10, 2024, Petitioner testified and provided one witness. On January 30, 2025, the Hearing Officer issued a recommended order recommending the denial of Petitioner's Application. The Hearing Officer found that Petitioner failed to establish good moral character or rehabilitation as set out in section 550.105(5)(c), Florida Statutes

Relevant Law

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

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

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

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

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

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

<u>Staff Recommendation</u>: The Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission adopt the Hearing Officer's recommended order and deny Petitioner's application for a pari-mutuel wagering professional individual occupational license.

	FILED
FLORIDA GA	MING CONTROL COMMISSION
Date:	1/31/2025
File Number:	
	MELBA L. APELLANIZ RK OF THE COMMISSION

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

CHRISTOPHER VAN HASSEL

FGCC Case No.: 2023-064914

Petitioner,

V.

FLORIDA GAMING CONTROL COMMISSION DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

HEARING OFFICER'S AMENDED RECOMMENDED ORDER

THIS MATTER came before Renee Harkins, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on December 10, 2024, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of Christopher Van Hassel's ("Petitioner's") petition for a hearing in response to the Commission's Letter of License Denial filed in FGCC Case Number 2023-064914. The Commission was represented by Emily Alvarado, Chief Attorney. Petitioner appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about November 8, 2023, the Commission received an application from Petitioner for a Pari-Mutuel Wagering Professional Individual Occupational License. On the application, he answered "yes" 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?" Petitioner disclosed a 2016 offense for Disorderly Conduct in Pinellas County, Florida.

2. On or about November 14, 2023, the Commission received a Request for Waiver from Petitioner, who amended his original application to include a 2020 felony conviction for Criminal Trespass in Chester County, Pennsylvania, and a 2023 misdemeanor conviction for Disorderly Conduct and Marijuana Possession in Aiken County, South Carolina.

3. On or about February 7, 2024, the Commission filed a Letter of License Denial, seeking to deny Petitioner's license application based upon his criminal disposition.

4. On or about August 23, 2024, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

The December 10, 2024, Informal Hearing

5. A hearing pursuant to section 120.57(2), Florida Statutes, was held December 10, 2024, during which the Commission presented the issues raised in the Letter of License Denial. The Hearing Officer granted the Commission's motion to have the Letter of License Denial and the investigative packet admitted on the record.

6. The investigative packet contains a letter of license denial from the Florida Division of Pari-Mutuel Wagering ("Division") filed on February 7, 2024, informing Petitioner of the Division's decision to deny his application for a Pari-Mutuel Wagering Individual Occupational License, "in accordance with the provisions of Chapter 550, Florida Statutes, and the rules promulgated thereto."

2

7. Additionally, the letter of license denial provides that Petitioner's felony conviction "is a disqualifying offense under Section 550.105(5), Florida Statutes. Your request for waiver has been denied based on your failure to meet the requirements of Section 550.105(5)(c), Florida Statutes."

a. At the hearing, Petitioner testified that the Division incorrectly based the denial of his application for licensure on citing section 550.105(5)(c), Florida Statutes, and therefore, the Division should grant his application for licensure.

b. Petitioner testified that he had devoted many years to his career as a jockey.

c. Regarding his disqualifying felony conviction, the petitioner testified that he had not satisfied the outstanding court costs, fines, and restitution or entered into a payment plan per his negotiated plea agreement with Chester County, Pennsylvania.

8. Dr. Doug Kindred, PhD., a Pari-Mutuel Wagering Individual Occupational licensee, testified on Petitioner's behalf. Dr. Kindred stated that Petitioner was an excellent horseman and rider and that he had known Petitioner for a year and a half or two years.

9. Dr. Kindred stated he would support Petitioner as a jockey and believed Petitioner was a person of good moral character. Dr. Kindred noted that Petitioner's crimes were not reflective of Petitioner's usual behavior, and Petitioner's use of alcohol or drugs affected his mental state and was a factor in the events leading to his arrest.

3

FINDINGS OF FACT

 On or about July 2, 2020, Petitioner was Adjudicated Guilty of Criminal Attempt, Criminal Trespass/Break into Structure (F-2) in Chester County, Pennsylvania (Case No. CP-15-CR-0000762-2020).

11. Petitioner did not disclose his complete criminal history on his initial application for licensure and did not provide the Commission with the requisite court disposition records for disclosed convictions, as required by the form.

12. On his amended application for licensure, Petitioner stated that his 2020 felony conviction was a misdemeanor; Petitioner also disclosed a subsequent February 2023 arrest for which he was charged with two misdemeanors: Disorderly Conduct and Possession of Marijuana (Aiken County South Carolina Second Judicial Circuit, Case Number 2023-00558).

CONCLUSIONS OF LAW

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

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

15. The Commission is the state agency charged with regulating pari-mutuel wagering operations pursuant to chapter 550, Florida Statutes.

16. Section 550.105(5)(b), Florida Statutes, states in pertinent part:

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

17. Pursuant to section 550.105(5)(d), Florida Statutes, 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.

18. Pursuant to section 550.105(5)(b), Florida Statutes, Petitioner's 2020 felony conviction is a disqualifying offense.

19. 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."

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

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

22. In the present case, Petitioner has a disqualifying felony criminal conviction entered July 2. 2020, and an arrest subsequent to the disqualifying felony conviction.

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

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

RECOMMENDED ORDER

WHEREFORE, based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Florida Gaming Control Commission enter a Final Order DENYING Petitioner's application for a Pari-Mutuel Wagering Professional Individual Occupational License.ⁱ

This Recommended Order in FGCC Case Number 2023-064914 is submitted this 31st day of January, 2025.

ce Harkins

Renee Harkins ^v Hearing Officer Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 31st day of January 2025 that a true copy of the foregoing "Hearing

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

Christopher Van Hassel Petitioner 12191 West Linebaugh Avenue, #689 Westchase, Florida 33626 Lonesometao@gmail.com

Emily Alvarado Counsel for Respondent Emily.Alvarado@flgaming.gov

Ren Harking

Renee Harkins Hearing Officer Florida Gaming Control Commission

ⁱ The amended order corrects a scrivener error as provided in Rule 1.540, F.R.C.P.

VANHASSEL, CHRISTOPHER A Case No. 2023-064914 Informal Hearing Packet

Documents Included in Case File

Exhibit 1	Notice of Hearing
Exhibit 2	Election of Rights
Exhibit 3	License Denial
Exhibit 4	Report of Investigation



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

November 19, 2024

Christopher Allen Van Hassel 12191 West Linebaugh Avenue, #689 Westchase, Florida 33626 lonesometao@gmail.com

> RE: FGCC v. Christopher Allen Van Hassel Case No.: 2023-064914

Enclosed please find a Notice of Hearing for the informal hearing that has been scheduled in the above-referenced case. **Your hearing is scheduled to be heard on Tuesday, December 10, 2024, between 9:30 AM and 12:00 PM. (Eastern Time).** Please read the Notice of Hearing for more details about the date, time, location and instructions for the hearing. A copy of the Commission's case file has been mailed to your address of record. Please ensure that you <u>have this case file available during the hearing</u>, as you may need to refer to it throughout the hearing.

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

<u>Please note:</u> If you choose not to attend the hearing in person or by video conference, we will be conducting the hearing telephonically; you will be contacted **between 9:30 AM and 12:00 PM (EST) at the following number: (803) 420-1533.** Please contact me as soon as possible to notify me of a correct number at which to reach you. Failure to answer the telephone, promptly return a missed call, or hold an open line <u>will result</u> in the hearing proceeding without you.

Below please find information about the informal hearing process:

- 1. The Informal Hearing is held on the date and time noted in the Notice of Hearing.
- 2. A Final Order will be issued within approximately 90 days after the date of the hearing. The Final Order is the **final** agency action and will describe the resolution of your case.

Should you have any questions or need any assistance, please feel free to contact me via telephone or email at 850-794- 8072 or Ebonie.Lanier@flgaming.gov.

Sincerely,

Ist Ebonie Lanier

Ebonie Lanier Administrative Assistant III (850) 794-8072

Enclosures: Notice of Hearing and Case File

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

VANHASSEL, CHRISTOPHER A,

Petitioner,

v.

FGCC Case No..: 2023-064914

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

Respondent.

_____/

NOTICE OF TELEPHONIC HEARING

TO: Christopher Allen Van Hassel 12191 West Linebaugh Avenue, #689 Westchase, Florida 33626 lonesometao@gmail.com

YOU ARE HEREBY NOTIFIED that the Commission's designated Hearing Officer will conduct a hearing in this matter, pursuant to Section 120.57(2), Florida Statutes. If you wish to present oral or written evidence, you must attend the hearing. The hearing is scheduled for **Tuesday**, **December 10, 2024 The Hearing Officer will call you at (803) 420-1533 sometime between 9:30 AM** – **12:00 PM (EST)**. Please be available to take the Hearing Officer's call. Failure to answer the telephone, promptly return a voicemail, or hold an open line may result in the hearing proceeding without you.

You may elect to attend the hearing in person or by video conference. If you wish to do so, you must contact the Commission by email at <u>Ebonie.Lanier@flgaming.gov</u> or telephone at (850) 794-8072, at least seven (7) days prior to your hearing date. If you do not elect to attend by video conference or in person, the hearing will automatically be held by telephone only. You may also provide written or oral evidence or have witnesses testify on your behalf. Any evidence that you wish to present to the Hearing Officer and any names and contact information of witnesses

you plan to call

FGCC vs. Christopher Allen Van Hassel FGCC Case No. 2023-064914 at the hearing should be emailed to <u>Renee.Harkins@flgaming.gov</u>, and <u>Emily.Alvarado@flgaming.gov</u> at least 7 days before the date of the hearing. If you do not have an email address, please contact me for an alternative method to provide the requested information.

If you cannot attend the hearing and wish to request a continuance for good cause, you must notify the Hearing Officer at <u>Renee.Harkins@flgaming.gov</u> and Opposing Counsel at <u>Emily.Alvarado@flgaming.gov</u> at least five (5) days prior to your hearing date. Continuance requests made within five (5) days of the hearing can only be granted for emergencies.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: the above-named parties via email and certified mail, on this 19th day of November, 2024.

By: <u>/s/ Ebonie Lanier</u>

Ebonie Lanier Administrative Assistant III Florida Gaming Control Commission Office of the General Counsel Division of Pari-Mutuel Wagering 4070 Esplanade Way, Suite 250 Tallahassee, Florida 32399 Telephone: (850) 794-8072 Facsimile: (850) 536-8709 Ebonie.Lanier@flgaming.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Ebonie Lanier at (850) 794-8072. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.

ехнівіт 		FILED FLORIDA GAMING CONTROL COMMISSIO Date: 8/23/2024 File Number:
From: To:	Ebonie Lanier Chip Mail	BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION
Subject: Date:	RE: Florida Gaming Control Commission - VANHASSEL - FGCC Case No. 2023 Friday, August 23, 2024 4:18:00 PM	3064914

Okay, Thanks.

We have scheduled your case for the next hearing and will send you a notice and all relevant documentation once the date has been set.

-Ebonie Lanier

From: Chip Mail <lonesometao@gmail.com>
Sent: Friday, August 23, 2024 3:41 PM
To: Ebonie Lanier <Ebonie.Lanier@flgaming.gov>
Subject: Re: Florida Gaming Control Commission - VANHASSEL - FGCC Case No. 2023064914

I already acknowledged the email and requested an informal hearing. Below is the text of that email.

I will resend the email.

August 12, 2024

RE: CASE NO.: 2023-064914

To whom it may concern,

I respectfully request a hearing in regard to the denial of my racing license, (CASE NO.: 2023-064914).

On or about August 8, 2024, Christopher A. Van Hassel, received an email which included an attachment of a "denial letter".

At this time, August 12, 2024, I request a hearing to remedy the denial of my license.

Fraternal Regards,

Christopher A. Van Hassel Gentleman Journeyman Jockey On Aug 8, 2024, at 10:28 AM, Ebonie Lanier < Ebonie.Lanier@flgaming.gov> wrote:

Good Afternoon Mr. Vanhassel,

The Florida Gaming Control Commission has tried to send the enclosed documents to your current address. However, we have not received confirmation from USPS that you have received the documents at this time.

Please find the attached documents regarding FGCC Case No. 2023064914.

Thanks, - Ebonie Lanier

<image001.jpg>

Ebonie Lanier Administrative Assistant III Office of the General Counsel Office: (850) 794-8072 Fax: (850) 536-8709

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

<VANHASSEL - 2023064914.pdf>

On Aug 23, 2024, at 10:27 AM, Ebonie Lanier <<u>Ebonie.Lanier@flgaming.gov</u>> wrote:

Good Morning Mr. Van Hassel,

I received your voice message dated August 23, 2024.

Please confirm your informal hearing request and acknowledge receipt of the email sent on August 15, 2024.

The next informal hearing is scheduled for next month (September). I will promptly follow up with you as soon as the date has been determined.

Thanks, - Ebonie Lanier <image001.jpg>

Ebonie Lanier Administrative Assistant III Office of the General Counsel Office: (850) 794-8072 Fax: (850) 536-8709

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From: Ebonie Lanier
Sent: Thursday, August 15, 2024 10:54 AM
To: Chip Mail <<u>lonesometao@gmail.com</u>>
Subject: RE: Florida Gaming Control Commission - VANHASSEL - FGCC Case No. 2023064914

Good Morning Mr. Van Hassel,

Per our phone call today, we want to confirm your request for an informal hearing.

As requested, we will also send all future correspondence via email to: <u>lonesometao@gmail.com</u>

Thanks, - Ebonie Lanier

From: Chip Mail <<u>lonesometao@gmail.com</u>>
Sent: Thursday, August 15, 2024 10:36 AM
To: Ebonie Lanier <<u>Ebonie.Lanier@flgaming.gov</u>>
Subject: Re: Florida Gaming Control Commission - VANHASSEL - FGCC Case No.
2023064914

Christopher A. Van Hassel Lonesometao@gmail.com (803)420-1533

August 12, 2024

RE: CASE NO.: 2023-064914

To whom it may concern,

I respectfully request a hearing in regard to the denial of my racing license, (CASE

NO.: 2023-064914).

On or about August 8, 2024, Christopher A. Van Hassel, received an email which included an attachment of a "denial letter".

At this time, August 12, 2024, I request a hearing to remedy the denial of my license.

Fraternal Regards,

Christopher A. Van Hassel Gentleman Journeyman Jockey

On Aug 8, 2024, at 10:28 AM, Ebonie Lanier <<u>Ebonie.Lanier@flgaming.gov</u>> wrote:

Good Afternoon Mr. Vanhassel,

The Florida Gaming Control Commission has tried to send the enclosed documents to your current address. However, we have not received confirmation from USPS that you have received the documents at this time.

Please find the attached documents regarding FGCC Case No. 2023064914.

Thanks, - Ebonie Lanier

<image001.jpg>

Ebonie Lanier Administrative Assistant III Office of the General Counsel Office: (850) 794-8072 Fax: (850) 536-8709

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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

<VANHASSEL - 2023064914.pdf>

Hey Melba,

Please file the attached email as and - EOR Informal hearing.

Thanks, - Ebonie Lanier



Ebonie Lanier Administrative Assistant III Office of the General Counsel Office: (850) 794-8072 Fax: (850) 536-8709

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.

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JULIE I. BROWN, COMMISSIONER CHUCK DRAGO, COMMISSIONER JOHN D'AQUILA, COMMISSIONER

February 6, 2024

Mr. Christopher Allen Van Hassel 12191 West Linebaugh Avenue, #689 Westchase, Florida 33626

FILED								
FLORIDA GAMING CONTROL COMMISSION								
Date:	2/07/2024							
File Number:								

BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION

Letter of License Denial

Dear Mr. Van Hassel:

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

1. 7/2/2020 – Criminal Attempt - Crim Tres-Break Into Structure (F-2) – Guilty – Chester County, Pennsylvania (Case No. CP-15-CR-0000762-2020)

This conviction is a disqualifying offense under Section 550.105(5), Florida Statutes. Your request for waiver has been denied based on your failure to meet the requirements of Section 550.105(5)(c), Florida Statutes.

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

Pursuant to Sections 129.569 and 120.57, Florida Statutes, you may request a hearing to challenge the Commission's decision within twenty-one (21) days of receipt of this Denial, as provided for in Rule 28-106, Florida Administrative Code, and the attached Notice of Rights.

If you do not request a hearing within twenty-one (21) days of your receipt of this Denial, this Denial will become the Agency's Final Order. If this Denial becomes a Final Order, you will have 30 days to file for an appeal pursuant to Section 120.57, Florida Statutes.

Sincerely,

Melba Apellaniz Clerk of the Commission

Attachment: Notice of Rights

OFFICE OF THE GENERAL COUNSEL 4070 ESPLANADE WAY SUITE 250 TALLAHASSEE, FL 32399

CERTIFICATE OF SERVICE

I hereby certify this <u>the</u> day of <u>EPRUARY</u>, 2024, that a true copy of the

foregoing has been furnished by certified U.S. mail to:

Christopher Allen Van Hassel 12191 West Linebaugh Avenue, #689 Westchase, Florida 33626

CLERK OF THE COMMISSION Florida Gaming Control Commission

Case No. 2023-064914



NOTICE OF RIGHTS

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

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

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

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

If a hearing pursuant to sections 120.569 and 120.57, Florida Statutes, is not requested within 21 days, the foregoing Letter of License Denial will become a Final Order. Any party adversely affected by this Final Order has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 (email: clerk@flgaming.gov), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the Clerk.

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

EXHIBIT
4

ROUTING SLIP REQUEST FOR WAIVER

RE: VAN HASSEL, CHRISTOPHER – 3904804 (APPLICANT'S NAME – LICENSE #)	Case No: <u>2023 06 4914</u>
1021 – Jockey Occupation Code and Job Title	<u>320 – Tampa Bay Downs</u> Facility (d/b/a name)
90-DAY RESPONSE DEADLINE:	FEBRUARY 13, 2024
Investigations Section: Reviewed by Bradford D. Jones	12/11/2023 nitiál & Date)
The attached "Request for Waiver" file has been reviewed for comp forwarded to the Licensing Section.	leteness and accuracy and has been
Licensing Section: Reviewed by: $\frac{DD}{(Initial & Date)}$	Statts 12/14/23 (Initial & Date)
Is the applicant currently under suspension, has unpaid fines, or has or racing jurisdiction?	as been refused a license by any gaming
[Yes or [] No If yes, in what jurisdiction?Unpaid restitution	on and court costs, see below.
Executive Director: LT 12/16/23 (Initial & Date)	
[] Prepare Waiver or [$$] Prepare File for Commission Review	
Comments:	
Investigative Findings:	

January 30, 2020 Pennsylvania State Police, PA – Criminal Attempt - Criminal Trespass / Break into Structure – Felony – Pled Guilty – Convicted on July 2, 2020 – Sentenced to 155 days confinement, 2 years' probation, Court costs/Fines of \$3,149.75, and pay Restitution of \$ 21,050.33 to Travelers, \$813.37 to Progressive and \$1,500.00 to victims. – Court costs and Restitution has not been paid.

*Please attach Routing Slip to front of case file



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

WAIVER INVESTIGATIVE REPORT

Office: PMW	Region: CENTRAL	Date of Complaint: Case Number: NOVEMBER 15, 2023 2023 06 4914					
Respondent:			Complainant:				
VANHASSEL, C 4229 CAPRI STR SEBRING, FLOR		DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BOULEVARD, SUITE 165					
Phone: (803) 42	0-1533		FT. LAUDERDALE, FLORIDA 33309				
39048	e # / Type: 04 / 1021		Profess Jocke		Report Date: December 4, 2023		
NOVEMBE		BER 4, 20 2			Type of Report: Final		
NOVEMBER 15, 2023 – DECEMBER 4, 2023FinalBasis of Investigation: This investigation is predicated upon submission of Christopher VAN HASSEL's State of Florida Pari-Mutuel Occupational License Application dated November 3, 2023, and Waiver Request Form dated July 7, 2023.On November 3, 2023, VAN HASSEL applied for a PMW Professional Occupational license to work as a Jockey at Tampa Bay Downs. On his application, he answered "Yes" to the question, on page 2 of the application, "Have you ever been convicted of or had adjudication withheld for any crime or pled guilty or nolo contendere to any criminal charges against you." VAN HASSEL disclosed a 2016 offense for Disorderly Conduct in Pinellas County, Florida.On November 14, 2023, VAN HASSEL amended his original application to include a 2020 felony conviction for Criminal Trespass in Chester County, Pennsylvania and a 2023 misdemeanor conviction for Disorderly Conduct and Marijuana Possession in Aiken County, South Carolina.							
Investigations Spe	18 02 5813, 2022 05 9 ecialist II / Date	121	App	Approved by Investigator Supervisor / Date			
Isl Lee Ann Rounds Lee Ann Rounds / December 4, 2023			C. Derek Washington / December 5, 2023				
Chief of Investigations / December 11, 2023 Bradford D. Jones / December 11, 2023							

FGCC INVESTIGATIVE REPORT

CASE NUMBER: 2023 06 4914

CRIMINAL HISTORY

			Arrest 1			
Date of Arrest:Arresting Agency01/30/2020Pennsylvania State				ə, PA.		
			OFFENSE			
			CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	1 Criminal Attempt- Criminal Trespass - Break into Structure		Felony	Guilty	Convicted	07/02/2020
2	Criminal Attem Taking-Movabl	pt -Theft by Unlawful e Prop	Misdemeanor	Guilty	Convicted	07/02/2020
3	Simple Assault		Misdemeanor	Guilty	Convicted	07/02/2020
4						

SENTENCE 155 days confinement, 2 years' probation, Court costs/Fines of \$3,149.75 and pay Restitution of \$21,050.33 to Travelers: \$813.37 to Progressive and \$1,500 to victims.

Additional Information: To date Court costs, Fines and Restitution has not been paid; total amount outstanding is \$26.538.45.

Arrest 2							
Date of Arrest:	Arresting Agency	:					
		OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION			
1							
2							
3							
4							

SENTENCE	

Additional Information:		
Additional Information.		

FGCC INVESTIGATIVE REPORT

CASE NUMBER: 2023 06 4914

CRIMINAL HISTORY

		Arrest 3			
Date of Arrest:	Arresting Agency:				
		OFFENSE			
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1					
2					
3					
4					-

SENTENCE

Additional Information:

		Arrest 4			
Date of Arrest:	Arresting Agency				
		OFFENSE			
		CLASSIFICATION	PLEA	DISPOSITION	
1					
2					
3					
4					

SENTENCE	

Additional Information:

FGCC INVESTIGATIVE REPORT

CASE NUMBER: 2023 06 4914

ADDITIONAL LICENSES

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

1. License Type:	1022 Exercise Rider	r / Jockey		
Date Licensed: Expiration Date: License #: Agency of the sector of t				on:
			YES	NO
Has License ever	X			
Was any derogatory information received?				

Additional Comments: A check of the Association of Racing Commissioners International (ARCI) database showed 10 rulings against VAN HASSEL from Maryland and Pennsylvania. On 10/09/2004 Maryland suspended his license for 5 days for carless/unsafe/improper riding or driving. On 10/23/2004 Pennsylvania suspended his license for failure to fulfill riding engagement in the 7th race and failure to pay a \$50 fine. On 12/04/2005 Maryland suspended his license for a positive urine test for marijuana. He has since been re-instated to good standing in both states.

2. License Type: Date Licensed: 08/09/2022	Jockey Expiration Date: 12/31/2024	License #: 440102	Agency or Jurisdiction	
			YES	NO
Has License ever		X		
Was any derogato	ry information receive	ed?		X
Additional Comme	ents:			

3. License Type:					
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdiction		
				YES	NO
Has License ever	been suspended or	revoked?			
	ory information rece				
Additional Commo	ents:		1		

Date Licensed:	Expiration Date:	License #:	Agency or Jurisdic	Jurisdiction:		
				YES	NO	
Has License eve	r been suspended of	r revoked?				
	tory information rece					
Additional Comm	ients:			I		

FGCC INVESTIGATIVE REPORT

CASE NUMBER: 2023 06 4914

WAIVER INTERVIEW

	YES	NO
Nas a Waiver Interview Conducted?		
Location of Interview: Via Telephone		
	YES	NO
	X	
		X Location of Interview: Via Telephone

SUMMARY OF INTERVIEW:

During my interview with VAN HASSEL, we discussed his Felony conviction for Criminal Trespass. He stated he was at a bar and that someone drugged his drink. He said it "messed him up," and when he left the bar, he ended up breaking into a home and attempted to drive away in the homeowner's car. He stated the homeowner dragged him out of the car and sat on him until law enforcement arrived. He said under his attorney's advice, he pled guilty to the charges and was sentenced to 41 months in prison. He said he was later released on probation to serve the remainder of his sentence and that his probation terminated two and a half months ago. VAN HASSEL expressed remorse for his actions and stated he did not intend to commit a crime, he was just "under the influence."

VAN HASSEL admitted to having an alcohol problem in the past but as of July 11, 2023 he has since stopped drinking.

VAN HASSEL stated he has been confused about the licensing process and does not know why he made errors on his previous applications. He further said he has no ill intent and wants to get to work riding horses as this is his love and what he does.

CONCLUSION:

In 2018, VANHASSEL's application for an Individual occupational License was denied for failure to timely correct errors and/or omissions, or to provide supplemental information as requested by the Division.

On November 21, 2022, VAN HASSEL reapplied for a PMW Occupational License. However, during the application process, on December 29, 2022, VAN HASSEL sent an email to PMW Operations Analyst II, Randall Kitchens, requesting his application for a PMW Occupational License be withdrawn.

Case Status: Investigations case closed, and case forwarded to Licensing.

CASE NUMBER: 2023 06 4914

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Ι.	INVESTIGATIVE REPORT COVERSHEET	
II.	INVESTIGATIVE REPORT	
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	2. Legal Documents.	1- 11
	3. Rap Sheet	1- 14
	4. Supporting Docs: ARCI / Letter / Other	1-10

		O RECEIVED
DBPR PM	ww-3180 - Request for Waiver	2023 NOV -8 AM 11: 22
		ATE OF FLORIDA BS AND PROFESSIONAL REGULATION PARI-MUTUEL WAGERING myfloridalicense.com
TOCH	ristopher A. Van Hassel Date of Birth	39048041022- PMW Individual/Org. Number
withheid, the crimer Florida Pa	a new applicant to Florida and have been convicted or or if you are renewing your pari-mutuel occupational is a listed below, you must first request and receive a war an-Mutuel Wagering Occupational License or Cardroo thest describes your situation:	aver from the Division Director in order to receive a
•	felony, a felony or an offense in any other state involving arson; trafficking in, conspiracy to tra- or import, or delivery, sale, or distribution of a good morel character. A felony or misdemaan	under the laws of the United States of a capital a which would be a felony under the laws of Florida ffic in, smuggling, importing, conspiracy to smuggle controlled substance; or a crime involving a lack of ior in this state, in any other state, or under the laws eanor is related to gambling or bookmaking, as tes, or involves cruelty to animals.
sa l	Currently under Suspension, Declared Ineligib Fine, in this or any other racing jurisdiction. Sp	le, Ruled Off, Revoked, Denied, Ejected, Unpaid pecify discipline and jurisdiction:

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

For Cardroom Applicants Only:

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

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

UNTIL YOU ARE LICENSED:

0

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

I hereby request a waiver for the situation(s) or conviction(s) noted above, and acknowledge that license and fingerprist fees are pon-refundable in the svent the waiver request is denied. I hereby acknowledge that my failure to participate in a waiver interview or to disclose any pertinent information regarding convictions, rulings, revocations, or deniate from other jurisdictions will result in a denial of the request for waiver. I hereby waive the Section 120.60, Floride Statistics, timeline equirement regarding the processing of the application.

50

Signature of Applicant

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

DBPR PMVV-3180, Effective 9-11-11, Rule 61D-5.001, FA.C.

Page 1 of 1

51.1

EXHIBIT #1 PAGE 1/5

2023 NOV - 7 PM 3: 04 ELCRED COMMISSION Department of Business and Professional Regulation NOV 0 2 3233 DBPR PMW-3120 - Individual Occupational License Application NOV 0 2 3233 DBPR PMW-3120 - Individual Occupational License Application NOV 0 2 3233 Instructions: Please review this application throughly and complete all sections that ppen to four and are not marked optional. Print clearly in bills or obtain the to not write in the special babeled "For Division Use Ont." Social Security Number Birth Date (Auton Norm) Birth Date (Auton Norm) Gender Have you used, being for an and the particitation DeMOGRAPHIC INFORMATION Suffix Have you used, being how nas, or caled by anothy form (obtample - makter name, pseudonym, nickname) or alias other than the name used: Reaget thickly (optional) Defined and how now as, or caled by anothy form (obtample - makter name, pseudonym, nickname) or alias other than the name used: Institute American or Alestan Native Current Mailing Address Path Address (optional) Ountry, if other than USA Design you position and License applying for: Path Address (optional) Country, if other than USA Type of Occupational License applying for: Path Address Path Address Occupation: Do 44 Deal Moderess To 44	2 - 1	1			
CONTROL_COMMISSION Division of Part-Mutuel Wagering At NOV 0.9.203 B Instructions: Please review this application thoroughly and complete all sections that periods to use denote the space labeled "For Division Use 0my: Instructions: Please review this application thoroughly and complete all sections that periods to use 0my: Social security bumber Bith Doc (Muturo Doc) " Social security bumber Bith Doc (Muturo Doc) " Last Name First (Muturo Doc) " Have you used, been known as, or cated by bumber time, (okample - makter name, pseudonym, nickname) or alias other than the name used or names used: Suffix Reader Enricht (planta) Asian or Pacific Islander Institue American or Alaskan Native Current Mailing Address Enrail Address (optional) Country, if other than USA Y2D 9 (Cgpc) State Zip Code (+4 optional) Country, if other than USA YB of Occupational License applying pr FL 3.8 TJ 3.0 Primary Phone Neglebar FL 3.8 TJ 3.0 YB of Occupational License applying pr FL 3.8 TJ 3.0 Primary Phone Neglebar FL 3.8 TJ 3.0 TJ 3.0 Current Mailing Address Enrail Address (optional) Country, if other than USA TJ 3.0 Primary Phone Neglebar FL	2023 NOV -7 PM 3: 04				ECEIVEN
DBPR PMW-3120 - Individual Occupational Licence Application BT. Application Instructions: Please review this application throughly and complete all sections that pertain to you and are not marked optional. Print clearly in black of blue ink. Do not write in the space labeled 'To Division Use. Only: Social Security Number Print clearly in black of blue ink. Do not write in the space labeled 'To Division Use. Only: Social Security Number Print Clearly of blue ink. Do not write in the space labeled 'To Division Use. Only: Itask Name Print Clearly of blue ink. Do not write in the space labeled 'To Division Use. Only: Have you used, been known as, or called by another/fisme (columple - maiden name, pseudonym, nickname) or alias other than the name used on the application? Nale Print diam or names used: Print Clearly (Clearly Clearly C	CONTROL COMMISSION	Division of	Pari-Mutuel Wag	ering 1. A	NOV 0 3 2023
Intervert of blue ink. Do not write in the space labeled "For Division Use Contry: DEMOGRAPHIC INFORMATION Social security Number Last Name Van 46520 Van 46520 First Midde Van 46520 Van 46520 Primate (Manual Colspan="2">Mide Van 46520 Van 4600 Van 4600 No Van 4600 Van 4600 Van 4600 Van 4600000000000 Van 46000000000000000000000000000000000000	DBPR PM	W-3120 - Individ	ual Occupational	License Applicati	DV RIG
DEMOCIRAPHIC INFORMATION Gender Bith Date (MARDOXY) Gender Male First Middle Value Suffix Middle Suffix Middle Suffix Middle A A figure of a colspan="2">A figure of a colsp	Instructions: Please review this a marked optional. Print clearly in bl	application thoroug	hly and complete a	all sections that per	tain to you and are not
Last Name First Midde Suffix Have you used, been known as, or called by anotherhame (example – malden name, pseudonym, nickname) or alias other than the name used on the application? Yes Midde Suffix Have you used, been known as, or called by anotherhame (example – malden name, pseudonym, nickname) or alias other than the name used on the application? Yes Midde Suffix Have you used, been known as, or called by anotherhame (example – malden name, pseudonym, nickname) or alias other than the name used on the application? Yes No Native American or Alaskan Native Deliator or African American Aalian or Pacific Islander Native American or Alaskan Native Other Current Malling Address Email Address (optional) Country, if other than USA State Zip Code (+4 optional) Country, if other than USA Se b cring Primary Phone Number Field Midde Primary Phone Number (optional) Country, if other than USA City State Zip Code (+4 optional) Country, if other than USA Field Midde Type of Occupational License applying for:		DEMOGR	PHIC INFORMAT		ANSIGH USE WITH
Last Name First Middle A Suffix Have you used, been known as, or called by anotherform (solample - malden name, pseudonym, nickname) or allas other than the name used on the application? Yes Yes No RaapEthicity (optional) Galack or African American or Alaskan Native Institue American or Alaskan Native Institue American or Alaskan Native Current Mailing Address Email Address (optional) Country, if other than USA Email Address (optional) Country, if other than USA City State Zip Code (+4 optional) Country, if other than USA Primary Phone Number (optional) Current Street Address N A State Zip Code (+4 optional) Country, if other than USA Type of Occupational License applying for: Pari-Mutuel General Individual Pari-Mutuel Professional Individual Facility where employed and/or doing business: City N A State Zip Code (+4 optional) Country, if other than USA Type of Occupational License applying for: Pari-Mutuel General Individual Pari-Mutuel Professional Individual Facility where employee and/or doing business: Occupation: O deg M Yes M City N A Sta	Social Security Number	Birth Date	(MM/DD/YYY)		e D Female
If yes, isighter fame or names used: Respectively (optional) Officer	Last Name	First	Mic	ddie A	
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-----2023 NOV -7 PM ... FLORIDA GLIMING BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY) Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States? Have you ever been convicted of or had adjudication withheld for any crime, or pled quilty or nolo contendere to any Yes criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below. DATE OF COUNTY STATE OFFENSE MISDEMEANOR SENTENCE DISPOSITION OR FELONY? pizardas (con Rinellas Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must No list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why. Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? Yes 3 If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline. No If you answered yes to any of the questions above, provide details here: Application to compl 52 PLEASE READ AND SIGN BELOW Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42. United States Code, Sections 653, 654; and Sections 409,2577, 409,2598, and 559,79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317. I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website. Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law. I certify that I and 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 momation 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 Parl-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 noto contendere to any disqualifying offense, regardless of adjudication. Signature of Applicant Date EXHIBIT #1

DBPR PMW-3120, Effective September 2020, Rule 61D-5.001, F.A.C.

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1st License Me Fee Ex Select Action Modifiers Type & A	Date 12/07 ethod I-S-10 eempt No Modifier ENFO - Er JCKY - Joo TBRD - Th	nforcemen ckey	tus Date 06 irth Date	Effective Date 11/03/2021	ficate Da newal Se Addi info	e # ate ent	14	*Addit 20180 proces	ional enforcer 25813: Failur ss. 202205912	e to complet
1st License Me Fee Ex Select Action Modifiers Type & A C I L	Date 12/07 ethod I-S-10 rempt No Modifier ENFO - Er JCKY - Joo TBRD - Th 320 - Tam	nforcemen ckey pa Bay Do	tus Date 06 irth Date	Effective Date 1 12/03/2010 12/03/2010 11/13/2023	ficate Da newal Se Addi info	e # ate ent	14	*Addit 20180 proces	ional enforcer 25813: Failur ss. 202205912	e to complet
1st License Me Fee Ex Select Action Modifiers Type & A C I	Date 12/07 ethod I-S-10 eempt No Modifier ENFO - Er JCKY - Joo TBRD - Th	nforcemen ckey pa Bay Do	tus Date 06 irth Date	Effective Date 1 12/03/2010 12/03/2010	ficate Da newal Se Addi info	e # ate ent	*+	*Addit 20180 proces	ional enforcer 25813: Failur ss. 202205912	e to complet
1st License Me Fee Ex Select Action Modifiers Type & A C I L	Date 12/07 ethod I-S-10 rempt No Modifier ENFO - Er JCKY - Joo TBRD - Th 320 - Tam	nforcemen ckey pa Bay Do	tus Date 06 irth Date	Effective Date 1 12/03/2010 12/03/2010 11/13/2023	ficate Da newal Se Addi info	e # ate ent	1	*Addit 20180 proces	ional enforcer 25813: Failur ss. 202205912	e to complet

https://vrprod12c.dbpr.state.fl.us/le5/faces/jsp/license/ALZ2DisplayAlerts.jsp

12/12/2023

		\cap			\bigcirc	
		Departme	ent of Business and	Professio	nal Regulation	
	Lines		Division of Pari-M		U	
	Licen	ising Administ	rator Review	– PMW	Occupational Licen	se
RE: VAI	NHASSE	L, CHRISTOPHE	R A- 3904804	Case	No: 2023 06 491	4
		'S NAME- LICENS		- 0030		
	1					
	0	INITIAL APPLIC	CATION RECEI	VED:	11/3/2023]
	1	COMPLETE AP	PLICATION RE	ECEIVED): 11/ 3 /2023	1
		90-DAY DEA	DLINE:		2/1 /2024	2/1/24
Amy Hall						
Application	n Proces		Tampa Bay Dow ty (d/b/a name)	ns .	1021 - Jockey	
			/		Occupation/Job Title a license by any other state racing com	
convicted in this	state. in any c	other state, or under the leve	of the United States of a	woke, or decia	re instigible any occupational license if the	te applicant for such license has
rs of this state in nce; animal crue	ivolving arson elty, illegal ga	i; trafficking in, conspiracy to mbling, or has had a pari-m	a traffic in, smuggling, impo utuel license revoked by th	orting, conspire his state or any	a reiony, or an offense in any other state icy to smuggle or import, or delivery, sale other jurisdiction for an offense related b	. or distribution of a controlled o parl-mutuel wagering.
			Licensing Ad	CHICK PROPERTY		hante that the
d the applica	ation accur	ately reflect the Crimir	Co	nviction		
Felony: 1 (Count(s)				XINO	
Misdemea	nor - Indus	stry Related/Gambling	Related/Bookmakin	g		
Animal Cru Forgery, La	arceny Fr	tortion, Conspiracy to	Defraud (Cardroom	Drofossion	040	
omments: 1	heft by Un	nlawful Taking M1 is a	iso associated with t	he below ca	ase.	
Arrest Date	Locatio	2	Charge	1		-
1/30/2020	Avondal		Charge	F2	Court Case # CP-15-CR-0000762-2020	Disposition
			Trespass	1.	CF-13-CK-0000782-2020	Guilty
Felony Am Misdemear Animal Cru omments: C	nor Arrest - Jeity	- Industry Related/Ga	mbling Related/Bool	kmaking		
Arrest Date	Locatio	n	Charge	Level	Court Coop #	
2/02/2023	Aiken, S		Disorderly	M1	Court Case # 20230030032557	Disposition Open Case
			Conduct & Poss. 28G or less/10G or less hash			open case
	1.1.1.1.1.1.1		Enforcement/ In	un a di cel a u	N #	
Currently u	nder Susp	ension, Declared Ineli	Enforcement/Ju igible, Ruled Off, Rev	voked. Deni	ed, Ejected, Unpaid Fine, In	
this or any	other racin	g jurisdiction.			eet sjoeteet onpale i me, wi	
mments:						
and support				d Licenses		
		tions to Determine If		the second second second second		
the second se		related to a business			complete sections below.	
siness Licen			Business Name:			
		en issued to the busin	ess indicating all OE	OSs must be	e licensed? Yes 🔲 No 🗔	
te Deficiency	/ Letter Iss	wed:	Initials:			
mments:						
			Licensing Adm	ninistentor	Daviau	
	n ensenere		Disposition	Confirma	tion	
qualifying C	onvictions/	Arrests Confirmed?	Yes 🖸 No		Approval	
mments:	Investiga	tions Legal	Director	In	itials:	11 15 23

also see Aiker County. S. Carolina 2nd Judicial Circuit documents

Aiken County Second Judicial Circuit Public Index

Public Index Search



Aiken County Home Page South Carolina Judicial Department Home Page SC.GOV Home Page

Switch View					
The	e State of Sou	th Carolina VS	Christopher All	en Van Hasse	
Case Number:	20230030032556		Aiken Municipal Court		02/03/2023
Case Type:	Criminal	Case Sub Type:			
Status:	Rescheduled	Assigned Judge:	Carroll, Tracey Lynn	Disposition Judge:	
Disposition:					
Disposition Date:		Date Received:		Arrest Date:	02/02/2023
Law Enf. Case:	2023-00558	True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:		Waiver Date:	
Probation Case:					

Case Parties

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
Dabbs, Lemuel R	834 Beaufort St, Ne Aiken SC 29801				Officer		02/03/2023
Hammond-Hurt, Rebekah Marie	471 Cedar Rd Windsor SC 29856				Bond Entity		02/08/2023
Van Hassel, Christopher Allen	4229 Capri St Sebring FL 33872	White	м		Defendant		02/08/2023

Charges

Name	Charge Code - Charge Description	Original Charge Code - Original Charge	Disposition Date
Van Hassel, Christopher Allen	0622-Disorderly / Public disorderly conduct	0622-Disorderly / Public disorderly conduct	

Associated Cases

Agency	Case #	External	Relationship	Description	Case Filed Date	Disposition Date	Case Status	Disposition
Aiken County Bond Court	20230030032556	Y		Associated by Case Transfer	02/03/2023		Transferred	Transferred

A	ct	io	n	S
		_	_	

Name	Description	Туре	Motion Roster	Begin Date	Completion Date	Document
Van Hassel, Christopher Allen	Criminal/Traffic Rescheduled	Event		11/17/2023- 08:00		
Van Hassel, Christopher Allen	Jury Trial Requested	Filing		06/30/2023- 10:03		
Van Hassel, Christopher Allen	Criminal/Traffic Rescheduled	Event		06/30/2023- 08:00	06/30/2023- 11:30	
Van Hassel, Christopher Allen	Criminal/Traffic Rescheduled	Event		06/26/2023- 08:00	06/26/2023- 11:30	
Van Hassel, Christopher Allen	Criminal/Traffic Rescheduled	Event		05/01/2023- 08:00	06/26/2023- 11:30	
Van Hassel, Christopher Allen	Archived Guilty Plea Information	Filing		04/28/2023- 00:00		
Van Hassel, Christopher Allen	Archived Faretta Warnings	Filing		04/28/2023- 00:00		

Van Hassel,		Jury Tria	Required	Filing			0	3/0.	∠023-			
Christopher A	llen							0:34				
Van Hassel, Criminal/Traffic Co Christopher Allen		Traffic Cou	rt Event				3/06/ 8:00		03/ 11:	06/2023- 30		
Van Hassel, Criminal/Traffic Christopher Allen Rescheduled			Event				3/06/ 8:00		05/ 11::	01/2023- 30		
Van Hassel, Christopher A		Archived Summon		Filing								
Van Hassel, Christopher A		Bond Hea	aring	Event	02/03/2 10:00			02/ 17:	03/2023- 00			
Financial	5											
					Summary							
Fine/Costs: \$257.50		.50		otal Paid for ne/costs:	\$0.00		Balance Due:		\$257.50			
					Costs							
Descri	ption	Co	st Code		Amount	t C	harg	e Acti	on	1	Disburs	ed Amo
Fine to Genera	al Fund	AFN	IEGF		\$100.00							\$0
Victim Services Asm 38.0013% / 5.7831% ASMVIC		IVIC	\$12.00								\$0.	
Victim Convic Surcharge \$1		25 CVS	SRCH	\$25.00			\$0.0					
Law Enforcem Funding Surch		25 LEF	SUR		\$25.00							\$0.
State Assessn	nent	STA	ASM		\$95.50							\$0
					Payments					_		
Payment	Date	Re	ceipt Numb		intered By	T	anca	oction	Type Co	de	Davma	nt Amo
02/08/2023		17688		c02kwi		P)		Cuon	Type co	de	rayine	\$257.
Bonds												
		r			d Informat	ion	-	_		-		
Bond Io		Set Da	Date	- Set RV	Туре	Amoun	t 1	уре	Amour	nt	Condit	ion
2023BD02102	200496	02/03/2	2023	Maurice	Cash Bond	\$257.5	0 Sur Bor		\$257.5	0		
				Post	t Informati	ion						
None												

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Aiken County Second Judicial Circuit Public Index

Public Index Search



Aiken County Home Page South Carolina Judicial Department Home Page SC.GOV Home Page

Switch View					
The	State of Sou	th Carolina VS	Christopher All	en Van Hasse	
Case Number:			Aiken Municipal Court		02/03/2023
Case Type:	Criminal	Case Sub Type:			
Status:	Rescheduled	Assigned Judge:	Carroll, Tracey Lynn	Disposition Judge:	
Disposition:					
Disposition Date:		Date Received:		Arrest Date:	02/02/2023
Law Enf. Case:	2023-00558	True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:		Waiver Date:	
Probation Case:					

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
Dabbs, Lemuel R	834 Beaufort St, Ne Aiken SC 29801				Officer		02/03/2023
Hammond-Hurt, Rebekah Marie	471 Cedar Rd Windsor SC 29856				Bond Entity		02/08/2023
Van Hassel, Christopher Allen	262 EASTGATE DRIVE 236 Aiken SC 29801	White	м		Defendant		05/01/2023

Charges

Name	Charge Code - Charge Description	Original Charge Code - Original Charge	Disposition Date
Van Hassel,	0659-Drugs / Poss. of 28g (1 oz) or less	0659-Drugs / Poss. of 28g (1 oz) or less	
Christopher	of marijuana or 10g or less of hash - 1st	of marijuana or 10g or less of hash - 1st	
Allen	offense	offense	

Associated Cases

Agency	Case #	External	Relationship	Description	Case Filed Date	Disposition Date	Case Status	Disposition
Aiken County Bond Court	20230030032557	Y		Associated by Case Transfer	02/03/2023	02/04/2023	Transferred	Transferred from Bond Court/Othe Court

Actions

Name	Description	Туре	Motion Roster	Begin Date	Completion Date	Documents
	Criminal/Traffic Rescheduled	Event		11/17/2023- 08:00		
Van Hassel, Christopher Allen	Jury Trial Requested	Filing		06/30/2023- 10:04		
	Criminal/Traffic Rescheduled	Event		06/30/2023- 08:00	06/30/2023- 11:30	
	Criminal/Traffic Rescheduled	Event		06/26/2023- 08:00	06/26/2023- 11:30	
	Criminal/Traffic Rescheduled	Event		05/01/2023- 08:00	06/26/2023- 11:30	
	Archived Court Summons	Filing		05/01/2023- 00:00		
Van Hassel, Christopher Allen	Jury Trial Requested	Filing		03/06/2023- 10:34		

14/23, 8:18 AM	1-				1	ic Index S				
Van Hassel, Christopher Alle		riminal/Traf	fic court	Event	03/00			05/01/2023- 11:30		
Van Hassel, Christopher Alle	1	rchived Cour ummons	t	00:00		5/2023-				
Van Hassel, Christopher Alle	1	rchived Fare /arnings	tta	Filing			03/03	3/2023-		
Van Hassel, Christopher Alle	A	rchived Guil	ty Plea	Filing				3/2023-		
Van Hassel, Christopher Alle	Hassel, Bond Hearing			Event			_	3/2023-	02/03/2023- 17:00	
Van Hassel, Christopher Alle	en II	efendant nformation egarding Rig	ihts	Filing	02/03/2023- 00:00					
Financials										
				1	Summary					
Fine/Costs:	\$615.	00		al Paid for /costs:	\$0.00	Balance Due		e: \$615.00		
					Costs					
Descript	ion	Cost Co	ode		Amount	c	harge Ac	tion	Disbur	sed Amou
Fine to General	Fund	AFNEGF			\$200.00					\$0.0
	Victim Services Asm 38.0013% / 5.7831% ASMVIC			\$24.00			\$0.0			
Victim Convictio Surcharge \$100		CVSRCH		\$25.00					\$0.0	
Law Enforceme Funding Surcha		5 LEFSUR			\$25.00				\$0.0	
PCC Surcharge		PCCSUR		\$150.00						\$0.0
State Assessme	nt	STAASM			\$191.00					\$0.0
					Payments					
Payment D	ate	Receipt	Number	E	intered By	Т	ansactio	n Type Co	Code Payment Amour	
02/08/2023		176884		c02kwi	illia	P			\$615.0	
Bonds										
				Bond	d Informati	ion				
Bond Id		Set Date	Amend Date	Set By	Туре	Amoun	t Type	Amour	nt Cond	ition
2023BD021020	0496 0	2/03/2023		Maurice	Cash Bond	\$615.0	0 Surety Bond	\$615.0	0	
				Post	t Informati	on				
None				1.00						

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Admin Licensees Rulings Horse Tracking Bulletin Board Preferences Log Off

DD 12/13/2023





Licensee:CHRISTOPHER ALLEN VANHASSEL

Reports on CHRISTOPHER ALLEN VANHASSEL

Comprehensive Ruling Report Drug Ruling Report (Last 5 Years) **Comprehensive Licensee Report**

Identification Information Date of Birth



Name Information Name Type Current Legal Name Previous Legal Previous Legal Previous Legal Other Other

Address Information Address Type

Mailing

Phone Information

Phone Number Type Emergency Home Mobile

License Information



DD 12/13/2023



Country

USA



Prefix

Street Address

4229 Capri St

Middle Name
ALLEN
Α
ALLEN
А.
А
а

Last Name VANHASSEL VAN HASSEL VAN HASSEL VAN HASSEL VAN HASSEL vanhassel

City SEBRING

State

FL

Zip Code 33872

Phone Number

Add a New License Record

Sex

Licensee

Add a New Identification Record Unknown

Add a New Name Record

Suffix

()		-		
()	T		~	

		- 1

5302344	Utility Employee	5/15/2011	12/31/2011	New Jersey Racing Commission
3904804	Jockey	12/14/2010	6/30/2011	Florida Division of Pari-Mutuel Wagering
	Jockey	12/3/2010	3/3/2011	Florida Division of Pari-Mutuel Wagering
11004	Jockey	11/19/2009	12/31/2010	Maryland Racing Commission
0005673055	Jockey	5/15/2009	12/31/2012	Pennsylvania Horse Racing Commission
01401	Jockey	4/24/2009	12/31/2009	Maryland Racing Commission
5265509	Jockey	4/23/2009	12/31/2009	New Jersey Racing Commission
5250087	Jockey	6/15/2008	12/31/2008	New Jersey Racing Commission
83685	Jockey	12/27/2007	12/31/2008	Maryland Racing Commission
73635	Jockey	8/29/2005	12/31/2005	Delaware Thoroughbred Racing Commission
*N*1749969	Jockey	8/13/2005	12/31/2005	New Jersey Racing Commission
*N*1740389	Jockey	6/16/2005	6/30/2006	Virginia Racing Commission
24636	Jockey	6/16/2005	6/30/2006	Virginia Racing Commission
08226122	Jockey	4/27/2005	12/30/2008	Pennsylvania Horse Racing Commission
*N*1507408	Apprentice Jockey	5/13/2004	12/31/2004	New Jersey Racing Commission
34954	Apprentice Jockey	2/27/2004	12/31/2004	Maryland Racing Commission
*N*1441480	Apprentice Jockey	10/7/2003	12/31/2003	New Jersey Racing Commission
06216995	Apprentice Jockey	8/2/2003	12/30/2006	Pennsylvania Horse Racing Commission
*N*1476600	Apprentice Jockey	7/23/2003	12/31/2003	Delaware Racing Commission
*N*1541738	Apprentice Jockey	7/23/2003	12/31/2004	Delaware Racing Commission
21092	Apprentice Jockey	6/20/2003	6/30/2004	Virginia Racing Commission
*N*1573527	Apprentice Jockey	6/20/2003	6/30/2005	Virginia Racing Commission
20882	Apprentice Jockey	5/29/2003	12/31/2003	Maryland Racing Commission
3904804	Unknown	11/20/2001	6/30/2002	Florida Division of Pari-Mutuel Wagering
	Other/OTB/Casino	11/20/2001	6/30/2002	Florida Division of Pari-Mutuel Wagering
*N*1116923	Miscellaneous/Permittee	11/20/2001	6/30/2002	Florida Division of Pari-Mutuel Wagering
*N*844723	Exercise Person	6/25/2001	6/30/2002	Virginia Racing Commission
*N*844724	Groom	6/25/2001	6/30/2002	Virginia Racing Commission
16634	Groom	6/25/2001	6/30/2002	Virginia Racing Commission
16636	Exercise Person	6/25/2001	6/30/2002	Virginia Racing Commission
*N*1192593	Exercise Person	4/4/2001	12/31/2002	Delaware Racing Commission
*N*1476599	Exercise Person	4/4/2001	12/31/2003	Delaware Racing Commission
*N*839086	Exercise Person	7/6/1999	12/31/1999	Delaware Racing Commission

Fingerprint Information				Add a New Fingerprint Record
Processing Commission	Date Taken	Status	Notes	RCI Card Submitted Date
Virginia Racing Commission	6/25/2001	No		
Pennsylvania Horse Racing Commission	8/2/2003	Yes		
Pennsylvania Horse Racing Commission	9/9/2005	Yes		
Racing Commissioners International	6/4/2014	Unknown	RCI Multi-Jurisdiction Card	6/4/2014

Ruling Number	Ruling Type	Ruling Date	Fine	Fine Paid?	Suspension Start	Suspension End
13256PP	Unknown	10/15/2013		N/A		
08086PI	Failure to Honor Declaration/Engagement	9/11/2008	100	N/A		
478	Falsification of License Application	6/10/2007	50	Yes		
05-285MD	Reinstatement to Good Standing in State	12/29/2005		N/A		12/29/2005
05-261MD	Medication/Drug/Alcohol Violation - Human	12/4/2005		N/A	12/4/2005	
05157PN	Unknown	4/28/2005		N/A		
04676PN	Reinstatement to Good Standing in State	11/17/2004		N/A		
04676PN	License Denied, Rescinded, Revoked, Suspended, Withdrawn or Exclusion	10/23/2004		N/A	11/2/2004	
04676PN	Failure to Honor Declaration/Engagement	10/1/2004	50	N/A		
04-175MD	Careless/Unsafe/Improper Riding or Driving	10/1/2004		N/A	10/9/2004	

<u>Applicable Reports</u> Comprehensive Ruling Report Comprehensive Licensee Report



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PD 12/13/2023

Comprehensive Ruling Report

Rulings Against: CHRISTOPHER ALLEN VANHASSEL

Legal Name: CHRISTOPHER ALLEN VANHASSEL

Birth Date:



10 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."

Ruling #: 1

Ruling Number:	13256PP	Date:	10/15/2013
Issued By:	Pennsylvania Horse Racing Commission	Facility:	Philadelphia Park
Ruling Type:	Unknown		
Division:	Horse	Breed:	Thoroughbred
Effective Date:	N/A	Race Date:	N/A
Infraction Date:	N/A	Infraction Facility:	N/A
Race Number:	N/A	Animal Name:	N/A
Under Appeal:	False	Appeal Date:	N/A
Fine Amount:	\$0	Fine Paid:	N/A
Suspension Start	: None	Suspension End:	None
Actions:		-	
Alpha Ruling: 13256	PP Action Type	Initial Ruling	Issue Date: 10/15/2013
Alpha Ruling: 13256 Action Text: General Ruling U	PON APPLICATION FOR A	JOCKEY LICENS	Issue Date: 10/15/2013 E, THE STABLE EMPLOYEE LICENSE RESCINDED WITHOUT PREJUDICE.
Alpha Ruling: 13256 Action Text: General Ruling U	PON APPLICATION FOR A	JOCKEY LICENS	E, THE STABLE EMPLOYEE LICENSE
Alpha Ruling: 13256 Action Text: General Ruling U #511142241 OF (PON APPLICATION FOR A	JOCKEY LICENS	E, THE STABLE EMPLOYEE LICENSE
Alpha Ruling: 13256 Action Text: General Ruling U #511142241 OF C Ruling #: 2	PON APPLICATION FOR A CHRISTOPHER A. VanHASS	JOCKEY LICENS SEL IS HEREBY F	E, THE STABLE EMPLOYEE LICENSE RESCINDED WITHOUT PREJUDICE.
Alpha Ruling: 13256 Action Text: General Ruling U #511142241 OF (Ruling #: 2 Ruling Number:	PON APPLICATION FOR A CHRISTOPHER A. VanHASS 08086PI Pennsylvania Horse Racin	JOCKEY LICENS SEL IS HEREBY F	E, THE STABLE EMPLOYEE LICENSE RESCINDED WITHOUT PREJUDICE. 9/11/2008
Alpha Ruling: 13256 Action Text: General Ruling U #511142241 OF C Ruling #: 2 Ruling Number: Issued By:	PON APPLICATION FOR A CHRISTOPHER A. VanHASS 08086PI Pennsylvania Horse Racin Commission Failure to Honor	JOCKEY LICENS SEL IS HEREBY F	E, THE STABLE EMPLOYEE LICENSE RESCINDED WITHOUT PREJUDICE. 9/11/2008
Alpha Ruling: 13256 Action Text: General Ruling U #511142241 OF C Ruling #: 2 Ruling Number: Issued By: Ruling Type:	PON APPLICATION FOR A CHRISTOPHER A. VanHASS 08086PI Pennsylvania Horse Racin Commission Failure to Honor Declaration/Engagement	JOCKEY LICENS SEL IS HEREBY F Date: g Facility:	9/11/2008 Presque Isle Downs

DD 12/13/2023

Race Number:	N/A	Animal Name:	
Under Appeal:	False	Appeal Date:	N/A
Fine Amount:	\$ 100	Fine Paid:	N/A
Suspension Start:	None	Suspension Er	nd: None
Actions:			
Alpha Ruling: 08086 Action Text:	PI Action Ty	vpe: Initial Ruling	Issue Date: 9/11/2008
Failure to fulfill rid THE 8TH RACE,S DOLLARS (\$100.0	EPTEMBER 10TH , 2008 20). THE STEWARDS FI	8. YOU ARE HEREI ND THAT THE DEL	RIDING ENGAGEMENT FOR THE 4TH AND BY FINED THE SUM OF ONE HUNDRED AY OF THE EFFECTIVE DATE OF THIS RULING C. THIS RULING IS EFFECTIVE IMMEDIATELY.
Ruling #: 3			
Ruling Number:	478	Date:	6/10/2007
Issued By:	Delaware Racing Commission	Facility:	Delaware Park
Ruling Type:	Falsification of License Application		
Division:	Horse	Breed:	Thoroughbred
Effective Date:	N/A	Race Date:	N/A
nfraction Date:	N/A	Infraction Faciliy:	N/A
Race Number:	N/A	Animal Name:	N/A
Under Appeal:	False	Appeal Date:	N/A
Fine Amount:	\$ 50	Fine Paid:	Yes
Suspension Start:	None	Suspension End:	None
Actions:			
Alpha Ruling: 478 Action Text:	Action Type: Init		Issue Date: 6/10/2007
FINED THE SUM	CENSE. REFER TO D.R.	RS FOR FALSIFIC	G WAIVED HIS RIGHTS TO A HEARING, IS ATION OF HIS 2007 DELAWARE RACING 3.4. FINE TO BE PAID WITHIN 48 HOURS.
Ruling Number:	05-285MD	Date:	12/29/2005
Issued By:	Maryland Racing Commission	Facility:	Laurel Race Course
Ruling Type:	Reinstatement to Good Standing in State		
Division:	Horse	Breed:	Thoroughbred
Effective Date:	N/A	Race Date:	N/A
nfraction Date:	N/A	Infraction Faciliy:	
Race Number:	N/A	Animal Name:	N/A
Jnder Appeal:	False	Appeal Date:	N/A
Eino Amount:	¢ 0		N1/A

Fine Paid:

N/A

DD 12/13/2023

Fine Amount:

\$0

Suspension Start: None Actions:	Suspension End: 12/29	9/2005
Alpha Ruling: 05-285MD Action Text:	Action Type: Initial Ruling	Issue Date: 12/29/2005
subject of Stewards' Ruling #05 appeared before the Stewards i hearing on his request to be rein Van Hassel's condition has indic Cannabis Dependence or Abus provided the results of a urinaly accordance with COMAR 09.10	-261 dated 12/04/05: On December 2 n the presence of the Horsemen's Co nstated to good standing. The HCP C cated that he does not meet the Diagr e; (2) Van Hassel has completed Pha sis indicating that he is presently drug	ounseling Program (HCP) Coordinator for a oordinator testified that: (1) An evaluation of nostic & Statistical Manual IV Criteria for se I of the HCP; and (3) Van Hassel has g free. Based upon the above, and in rder that the suspension they had imposed
Ruling #: 5		

Ruling Number: Issued By:	05-261MD Maryland Racing Commission	Date: Facility:	12/4/2005 Laurel Race Course
Ruling Type:	Medication/Drug/Alcohol Violation - Human		
Division:	Horse	Breed:	Thoroughbred
Effective Date:	N/A	Race Date:	N/A
Infraction Date:	N/A	Infraction Faciliy:	N/A
Race Number:	N/A	Animal Name:	N/A
Under Appeal:	False	Appeal Date:	N/A
Drug:	Marijuana		
Fine Amount:	\$ O	Fine Paid:	N/A
Suspension Start Actions:	: 12/4/2005	Suspension End:	None

Alpha Ruling: 05-261MD

Action Type: Initial Ruling

Issue Date: 12/4/2005

Action Text:

On December 4, 2005, jockey Christopher A. Van Hassel, DOB **1**708 High Bridge Road, Bowie, MD 20720, was directed by the Stewards to submit a specimen of urine for testing, as per COMAR 09.10.01.05 Drug Prohibition-Humans, §A(1)(b) and §A(2)(a). The specimen tested positive for the drug marijuana and Van Hassel was charged with a violation of the drug prohibition regulation and ordered to appear before the Stewards for a hearing in the matter. Christopher Van Hassel appeared before the Stewards in the absence of counsel and waived his right thereto. Based upon the evidence presented to them and Van Hassel's own admision that he had used the drug, the Stewards found Van Hassel in violation of the drug prohibition. They also determined that this was his first such violation... Accordingly, as per COMAR 09.10.03.05, §F Disciplinary Action and Evaluation, the Stewards hereby order: (1) That the license issued to Christopher A. Van Hassel be suspended until such time as he has been professionally evaluated; and (2) That, while he is under suspension, Van Hassel be denied the privileges of all the grounds under the jurisdiction of the Maryland Racing Commission [COMAR 09.10.01.45, §Y(1)(a)]. BY ORDER OF THE STEWARDS

Ruling #: 6

Ruling Number:	05157PN	Date:	4/28/2005	
Issued By:	Pennsylvania Horse Racing Commission	Facility:	Penn National	
	Racing Commission			DD 12/13/2023

Unknown

rianing rypor	onatown		
Division:	Horse	Breed:	Thoroughbred
Effective Date:	N/A	Race Date:	N/A
Infraction Date:	N/A	Infraction Faciliy:	N/A
Race Number:	N/A	Animal Name:	N/A
Under Appeal:	False	Appeal Date:	N/A
Fine Amount:	\$ 0	Fine Paid:	N/A
Suspension Start:	None	Suspension End:	None
Actions:			

Alpha Ruling: 05157PN Action Text:

Ruling Type:

, General Ruling UPON RECEIVING A JOCKEY LICENSE, HIS APPRENTICE JOCKEY LICENSING IS HEREBY RESCINDED WITHOUT PREJUDICE PER RULING #05157PN.

Action Type: Initial Ruling

Ruling #: 7

Ruling Number:	04676PN	Date:	11/17/2004
Issued By:	Pennsylvania Horse Racing Commission	Facility:	Penn National
Ruling Type:	Reinstatement to Good Standing in State		
Division:	Horse	Breed:	Thoroughbred
Effective Date:	N/A	Race Date:	N/A
Infraction Date:	N/A	Infraction Faciliy:	N/A
Race Number:	N/A	Animal Name:	N/A
Under Appeal:	False	Appeal Date:	N/A
Fine Amount:	\$ O	Fine Paid:	N/A
Suspension Start	None	Suspension End:	None
Actions:			

Alpha Ruling: 04676PN

Action Type: Initial Ruling

Issue Date: 11/17/2004

Issue Date: 4/28/2005

Action Text:

, Failure to fulfill riding engagement FOR THE 7TH RACE. HAVING PAID AN OUTSTANDING FINE IS HEREBY RESTORED TO GOOD STANDING PER RULING #04775PN.

Ruling #: 8

Ruling Number:	04676PN	Date:	10/23/2004
Issued By:	Pennsylvania Horse Racing Commission	Facility:	Penn National
Ruling Type:	License Denied, Rescinded, Revoked, Suspended, Withdrawn or Exclusion		
Division:	Horse	Breed:	Thoroughbred
Effective Date:	N/A	Race Date:	N/A
Infraction Date:	N/A	Infraction Faciliy:	N/A

DD 12/13/2023

	N/A	Animal Name: N	/A
Race Number: Under Appeal:			/A
Fine Amount:		Fine Paid: N	
Suspension Start	•	Suspension End: N	
Actions:			
Alpha Ruling: 04676	PN Action Type	Initial Ruling	Issue Date: 10/23/2004
	ding engagement FOR THE DED PER RULING #04724P		G FAILED TO PAY THE FINE OF \$50.00 IS
Ruling #: 9			
Ruling Number:	04676PN	Date:	10/1/2004
Issued By:	Pennsylvania Horse Racing Commission	g Facility:	Penn National
Ruling Type:	Failure to Honor Declaration/Engagement		
Division:	Horse	Breed:	Thoroughbred
Effective Date:	N/A	Race Date:	N/A
Infraction Date:	N/A	Infraction Faciliy:	N/A
Race Number:	N/A	Animal Name:	N/A
Under Appeal:	False	Appeal Date:	N/A
Fine Amount:	\$ 50	Fine Paid:	N/A
Suspension Start	None	Suspension End:	None
Actions:			
Alpha Ruling: 04676 Action Text: , Failure to fulfill ri	PN Action Type ding engagement FOR THE	e: Initial Ruling 7TH RACE.	Issue Date: 10/1/2004
Ruling #: 10	and and and an		
Ruling Number:	04-175MD	Date:	10/1/2004
Issued By:	Maryland Racing Commission	Facility:	Pimlico
Ruling Type:	Careless/Unsafe/Improper Riding or Driving		
Division:	Horse	Breed:	Thoroughbred
	N/A	Race Date:	N/A
Effective Date:	N/A	Infraction Faciliy:	N/A
Infraction Date:		Animal Name:	N/A
Infraction Date: Race Number:	N/A	Animal Name.	
Infraction Date: Race Number: Under Appeal:	False	Appeal Date:	N/A
Effective Date: Infraction Date: Race Number: Under Appeal: Fine Amount: Suspension Start	False \$ 0		N/A

Alpha Ruling: 04-175MD

Action Type: Initial Ruling

Action Text:

Apprentice jockey Christopher A. Van Hassel, DOB **Mathematical**, is ordered suspended five (5) Maryland racing days, October 9, 10, 11, 14 and 15, 2004, for riding his mount, "My Terms", in a careless manner in the fifth race at Pimlico Race Course on September 30, 2004, by coming out from behind the lead horse at the top of the stretch without having sufficient room to do so and, in doing so, jostling the horse "Dance In Flight" and forcing its rider to check. [COMAR 09.10.01.50, §A(2)(b) and §C.] However, apprentice jockey Van Hassel having requested permission to ride in "The Yankee Fashion" stake, a designated race at Philadelphia Park, on October 9, 2004, was granted permission to do so with the condition that he serve an additional day of suspension on October 16, 2004. [COMAR 09.10.01.45, §AA(2).] BY ORDER OF THE STEWARDS

DD 12/13/2023



Chester County Court of Common Pleas Court Summary

Van Hassel, Chr Coatesville, PA Aliases: Christopher A. V Christopher Aller	19320 'an Hassel		DOB:		Sex: Unrepor Eyes: Blue Hair: Blond o Race: White	rted/Unknown or Strawberry
Closed						
Chester						
CP-15-C	R-0000762-2020)	Proc Status: Se	entenced/Penalty Imposed	DC No:	OTN:X 316305-3
	Dt: 01/30/2020 ty: Mehok, Krist	Disp Date; (ine C (PD)	07/02/2020	Disp Judge: Sondergaard	l, Analisa	
Seq N	o Statute		Grade	Description		<u>Disposition</u>
5	Sentence Dt.	Sentence Type	Program	n Period	Sentence Lengti	
4	18 § 901	§§ A		Criminal Attempt - Crim Tr Into Structure		Guilty Plea - Negotiated
0	7/02/2020	Confinement	Other		Min: 6 Month(s) I	Max: 23 Month(s)
5	18 § 901 (§§ A	M 1	Criminal Attempt - Theft B Taking-Movable Prop	y Unlaw	Guilty Plea - Negotiated
C	7/02/2020	Probation	2 Years	÷ .	Min: 2 Year(s) Ma	ax: 2 Year(s)
6	18 § 2701	§§ A3	M2	Simple Assault		Guilty Plea - Negotiated
C	07/02/2020	Probation	2 Years	·	Min: 2 Year(s) Ma	

EXHIBIT #2 PAGE 1/11

CPCMS 3541

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Recent entries made in the court filling offices may not be immediately reflected on the court summary report. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Court Summary Report information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Please note that if the offense disposition information is blank, this only means that there is not a "final disposition" recorded in the Common Pleas Criminal Court Case Management System for this offense. In such an instance, you must view the public web docket sheet of the case wherein the offense is charged in order to determine what the most up-to-date disposition information is for the offense.



1

C	OURT C	OF COMN	ION PLEAS C	OF CHESTE	R COUNTY	
			DOCKET			
Salar	R.			Docket		R-0000762-2020
	B					Court Case
where the and		c	ommonwealth of Penn	svlvania		
		-	٧.			Page 1 of 10
			Christopher Allen Van			
	and the second		CRMATIC			
Judge Assigned: Sonderga		N 040005 0		03/02/2020	Initiation Date: 01/3	0/2020
<u>OTN:</u> X 316305-3		X 316305-3			04-CR-0000032-2020	
Initial Issuing Authority: Ma Arresting Agency: PSP - Av				g Authority: Matthew		
Complaint/Citation No.: PA			Incident Nu	officer: Price, Amanda	а В.	
Case Local Number Type(s			S	Number(s)		
Civil Judgment Case	=0		AP200			
			STATUS INFORMAT	and the second second second second second		
Case Status: Closed		Status Date	Processing Status		Arrest	Date: 01/30/2020
		07/02/2020	Sentenced/Penalty	Imposed		
		07/02/2020	Awaiting Sentencin	g		
		03/04/2020	Awaiting Trial			
		03/02/2020	Awaiting Original P	apers		
					Complaint I	Date: 01/31/2020
Made and March March			CALENDAR EVE	NTS		
Case Calendar	Schedule	Start	Room	Judge Name	ann ann an a' an anairtean	Schedule
Event Type	Start Date	Time				Status
Formal Arraignment	03/19/2020	9:15 am	Arraignment Room 4112			Scheduled
Bail Hearing	05/22/2020	12:30 pm	Courtroom 19	Judge Allison Bel	55 55	Scheduled
Criminal Trial	06/29/2020	1:30 pm	Courtroom 14	Judge Analisa So	ndergaard	Scheduled
Date Of Birth:	group de la companya de la companya La companya de la comp					
Date of Diffi.	94 1		<u>State/Zip:</u> Coatesville, P	A 19320		
<u>Alias Name</u> Van Hassel, Christopher A.						
		p Anemper Cardiens	CASE DADTICIDAN	TO		
Participant Type	op the second product of	Name	CASE PARTICIPAN	19		
Defendant			el, Christopher Allen			
The second second second second		ACRES IN RECEIPTING				
Van Hassel, Christopher A	llen	t been being de kannen in de	BAIL INFORMATI	UN		Nebbia Status: None
•			_			Nonna Status; NONG
Bail Action	<u>Date</u>	<u>Bail Type</u>	Percent	age Amount		
					Bail Posting Status	Posting Date
Set	01/31/2020	0 Monetary		\$50,000.00		
			CHARGES	400,000,00	She shake here's	
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Seq. Orig Seq.	Grade State	ute	Statute Description		Offense Dt.	OTN

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		0001		DOCKET	COUNTY	
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S		9		Docket N	lumber: CP-15-CF CRIMINA	R-0000762-2020
						Court Case
200	All and		Co	mmonwealth of Pennsylvania		
				V.		Page 2 of 10
			C	hristopher Allen Van Hassel		
	hieros ar			CHARGES		
Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
4	18	F2	18 § 901 §§ A	Criminal Attempt - Crim Tres-Break Into Structure	01/30/2020	X 316305-3
5	19	M1	18 § 901 §§ A	Criminal Attempt - Theft By Unlaw Taking-Movable Prop	01/30/2020	X 316305-3
6	20	M2	18 § 2701 §§ A3	Simple Assault	01/30/2020	X 316305-3
	A. Printer	100	DISPOS	SITION SENTENCING/PENALTIES		
Disposition						
Case Eve	ent			Disposition Date	Final Disposition	
<u>Seque</u>	nce/Description	ב		Offense Disposition	Grade Sectio	n
	tencing Judge			Sentence Date	Credit For Tim	e Served
<u>s</u>	entence/Divers			Incarceration/Diversionary Peri	od Start Date	1
	Sentence (Conditions				
Waived for	Court (Lower	Court)	Defendant Was	Present		
Lower Co	ourt Disposition	I		02/28/2020	Not Final	
Guilty Plea	- Negotiated					
Trial				07/02/2020	Final Disposition	
4 / Cri	minal Attempt -	Crim Tres	-Break Into Structure	Guilty Plea - Negotiated	F2 18§9	01 §§ A
Son	dergaard, Anal	isa		07/02/2020	155 Days	
c	Confinement			Min of 6.00 Months Max of 23.00 Months		
	Fine: \$25 8	ooste		Other		
			33 to Travelers: \$813 37	to Progressive; \$1,500 to victims		
			to be paid first			
	DNA Testin	g: \$250 F	ee			
	D/A Eval &					
	M/H Evai &					
	Eligible for No contact	•				
	As amende					
5 / Crir	minal Attempt -	Theft By	Unlaw Taking-Movable	Guilty Plea - Negotiated	M1 18 § 9	01 §§ A
Prop		-7	•		.030	
Son	dergaard, Anal	isa		07/02/2020		
Р	robation			Min of 2.00 Years Max of 2.00 Years		
	Fines & cos	ete _ wester	ad	2 Years		
	Waiver of \$					
		e to Coun	t 4 (same conditions)			(HIBIT #2 (GE 3/11
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Con	nmonwealth of Pennsylvania		Page 3 of
	v.		1 495 5 61
	ristopher Allen Van Hassel	19 6 19 6 19	n marine and the first second sec
sposition	TION SENTENCING/PENALTIES	series I.	
Case Event	Disposition Date	Final Dispos	ition
Sequence/Description	Offense Disposition	Grade	Section
Sentencing Judge	Sentence Date		lit For Time Served
Sentence/Diversion Program Type	Incarceration/Diversionary Period		Start Date
Sentence Conditions			
6 / Simple Assault	Guilty Plea - Negotiated	M2	18 § 2701 §§ A3
Sondergaard, Analisa	07/02/2020		
Probation	Min of 2.00 Years		
	Max of 2.00 Years		
	2 Years		
Last year non-reporting if in compliance Fines & costs - waived			
Waiver of Supervision Fee			
Consecutive to Count 5 (same conditions)			
As amended			
INKED SENTENCES:		final from and board for	
Link 1			
CP-15-CR-0000762-2020 - Seq. No. 5 (18 § 3921 §§ A	- Probation is Consecutive to		
CP-15-CR-0000762-2020 - Seq. No. 4 (18 § 3503 §§ A			
Link 2			
CP-15-CR-0000762-2020 - Seq. No. 6 (18 § 2701 §§ A	3) - Probation is Concurrent with		
CP-15-CR-0000762-2020 - Seq. No. 5 (18 § 3921 §§ A			
01 -13-01-0000102-2020 - 0eq. No. 3 (10 § 3521 §§ /	Y- FIODAUDI		
			EXHIBIT #2
			PAGE 4/11

	COURTOFC	OMMON PLEAS OF CHESTER COUNTY	
ar aradhar		DOCKET	
X		Docket Number: CP-15-CR-000 CRIMINAL D	
		Commonwealth of Pennsylvania v.	Page 4 of 10
Section 1	ALLAN CONTACTION	Christopher Allen Van Hassel ATTORNEY INFORMATION	派派的不能错误
Name:	VEALTH INFORMATION Thomas Ost Prisco	Name: Kristine C. Mehok	a na suances
<u>Inditio.</u>	District Attorney	Public Defender	
Supreme Co	,	Supreme Court No:	
Phone Num		Rep. Status: Active	
A data and	(Phone)	Phone Number(s):	
Address: Chester	r Co Da's Office	(Phone)	
	Market St Ste 4450	Address: Chester Co Public Defender Ofc	
West C	hester, PA 19380	201 W Market St Ste 2325	
		West Chester, PA 19380-0989	
Name:	Samuel Kirk Bonsall	Representing: Van Hassel, Christopher Allen	
Supreme Co	Assistant District Attorney ourt No: 327791		
Phone Num			
Address:	(Phone)		
	r County Da's Office		
201 Ma			
One case as a feat to service any stars	hester, PA 19382	ENTRIES	
Sequence Nur	and the second	Document Date Filed By	CR WARENACT
1	01/31/2020	Seavey, Matthew	
•	an Hassel, Christopher Allen	Seavey, Maillew	
1 Original Pap	03/04/2020 Ders Received from Lower Court	MDJ-1 5-4 -04	
1 Entry of App	03/05/2020 Dearance	Mehok, Kristine C.	
1	04/01/2020	Chester County Public Defender's	
Ready for Tr	rial - Waived Arraignment	Office	
Mehok, Kristine			
04/02/2020	eService	Served	
Ost-Prisco, The			
04/02/2020	eService	Served	
2	04/01/2020	Commonwealth of Pennsylvania	
Information			
Mehok, Kristine			BIT #2
04/02/2020	eService	Served PAGE	: 5/11

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		DOCKET		
				CP-15-CR-0000762-2020
		Commonwealth of Pen	nsylvania	Page 5 of 10
		Christopher Allen Van		
Company Number		ENTRIES	The second s	
Sequence Number	CP Filed Date	Document Date	Filed By	
Service To		Service By		
Issue Date	Service Type	Status Date	Service Status	
Ost-Prisco, Thomas 04/02/2020	eService		Served	
3 Certificate of Compliance Mehok, Kristine C.	04/01/2020		Commonwealt	h of Pennsylvania
04/02/2020 Ost-Prisco, Thomas	eService		Served	
04/02/2020	eService	·	Served	
1 Petition to Reduce Bail Ost-Prisco, Thomas	05/20/2020		Mehok, Kristine	9 C.
05/20/2020 Sondergaard, Analisa 05/20/2020	eNotice		Notified	
1 Hearing Notice	05/26/2020		Court of Comm County	non Pleas - Chester
Mehok, Kristine C. 05/26/2020	eService		Served	
Ost-Prisco, Thomas 05/26/2020	eService		Served	
1	07/02/2020	07/02/2020		
Order for Return of Proper Mehok, Kristine C.		01102/2020	Sondergaard, A	านเอเรยิ
07/06/2020	eService		Served	
Ost-Prisco, Thomas 07/06/2020	eService		Served	
2 Guilty Plea - Negotiated	07/02/2020		Sondergaard, A	Analisa
Mehok, Kristine C. 07/10/2020	eService		Served	
Ost-Prisco, Thomas 07/10/2020	eService		Served	EXHIBIT #2 PAGE 6/11

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		DOCKET		
			Docket Number: CP-15-0 CRIMIN	CR-0000762-2020 AL DOCKET Court Case
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		v. Christopher Allen Van Hasse		·
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3	07/02/2020		Sondergaard, Analisa	
Order - Sentence/Penalty Mehok, Kristine C.	Imposed			
07/10/2020	eService		Served	
Ost-Prisco, Thomas				
07/10/2020	eService		Served	
4	07/02/2020		Sondergaard, Analisa	
DNA Sample Ordered Chester County Adult Proba	tion			
07/02/2020				
Chester County Bail Agency 07/02/2020	,			
Chester County Prison 07/02/2020				
Chester County Sheriff 07/02/2020				
Mehok, Kristine C.				
07/10/2020 Ost-Prisco, Thomas	eService		Served	
07/10/2020	eService		Served	
5	07/02/2020		Sondergaard, Analisa	ATTAL AND A VERSION
Order Granting Parole Chester County District Attor 07/02/2020	mey's Office			
Chester County Prison 07/02/2020				
Chester County Public Defe	nder's			
Office 07/02/2020				
Chester County Sheriff 07/02/2020				
Mehok, Kristine C.				
07/10/2020	eService		Served	
Ost-Prisco, Thomas				EXHIBIT #2
07/10/2020	eService		Served	PAGE 7/11

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	ł.		Docl	ket Number: CP-15-CR-0000762-2020 CRIMINAL DOCKET Court Case
		Commonwealth of Pen	nsylvania	Page 7 of 10
		v. Christopher Allen Van	Hassel	
Converse Number	OD Filed Date		. .	Et al o
Sequence Number	CP Filed Date	Document Date		Filed By
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Issue Date	Service Type	Status Date	Service	Status
1	07/21/2020			Court of Common Pleas - Chester County
Penalty Assessed Mehok, Kristine C. 07/21/2020	eService		Served	
Ost-Prisco, Thomas 07/21/2020	eService		Served	
2	07/21/2020			Court of Common Pleas - Chester County
Entry of Civil Judgment Mehok, Kristine C.	. .			
07/21/2020 Ost-Prisco, Thomas	eService		Served	
07/21/2020	eService		Served	
3	07/21/2020			Court of Common Pleas - Chester
Payment Plan Introduction	Letter			
Mehok, Kristine C. 07/23/2020	eService		Served	
Ost-Prisco, Thomas 07/23/2020	eService		Served	
1	07/29/2020			Van de Krol, Yolanda
Entry of Civil Judgment Mehok, Kristine C. 07/31/2020	eService		Served	
Ost-Prisco, Thomas 07/31/2020	eService		Served	
1	10/07/2020			Chester County District Attorney's
Guideline Sentence Form Mehok, Kristine C.	eService			
10/08/2020 Ost-Prisco, Thomas	5091 VICB		Served	EXHIBIT #2 PAGE 8/11

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	COURT OF CO	MMON PLEAS OF	CHESTER CO	UNIY	
		DOCKET			
	298		Docket Numbe	r: CP-15-CR	-0000762-20
MER	K.		(CRIMINA	L DOCKE
	N. C.				Court Ca
- All Carlos and Carlo					
		Commonwealth of Pennsylva	nia		Page 8 of
		v. Christopher Allen Van Hass	el		<i>u</i>
and the second	ីទីស្មេងលើក ការស្មើន ស្មេះទេចឆ្នាំ ក្រុ ស្មែរក្រុមសម្តែន ស្មេងស្មែរស្មែរស្មែរស្មែរស្មែរស្មែរស្មែរស្មែរ	ENTRIES			
equence Number	CP Filed Date	Document Date	Filed By		
ervice To	<u>s</u>	ervice By			
Issue Date	Service Type	Status Date	Service Status		
10/08/2020	eService		Served		
g tankin in sing ti salami sa		PAYMENT PLAN SUMMAR		REAL PROPERTY	
ayment Plan No	Payment Plan Free		Active		Overdue An
esponsible Participan			Suspended		Next Due An
5-2020-P000003259	Monthly	08/21/2020	Yes		\$18,123.8
an Hassel, Christophe	r Allen		No		\$647.2
Paym	ent Plan History: <u>Receipt D</u>	Date Payor Nan	ne <u>Parti</u>	icipant Role	Amou
					EXHIBIT # PAGE 9/1

COURT OF COMMON PLEAS OF CHESTER COUNTY

DOCKET

Docket Number: CP-15-CR-0000762-2020 CRIMINAL DOCKET

Court Case

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		of Pennsylvania			Page 9 of 10	
	v. Christopher Allen Van Hassel					
	CASE FINANCIA	And in the Contemport of the Annual State and the Annual State of				
Last Payment Date:				Total of Last Pa	ayment:	
Van Hassel, Christopher Allen Defendant	Assessment	Payments [Adjustments	Non Monetary Payments	<u>Total</u>	
Costs/Fees						
OSP (Chester/State) (Act 35 of 1991)	\$840.00	\$0.00	\$0.00	\$0.00	\$840.00	
OSP (Chester/State) (Act 35 of 1991)	\$840.00	\$0.00	\$0.00	\$0.00	\$840.00	
Adult Probation Administrative Fee (Chester)	\$420.00	\$0.00	\$0.00	\$0.00	\$420.00	
Phone/Internet Supervision (Chester)	\$328.00	\$0.00	\$0.00	\$0.00	\$328.00	
ATJ	\$6.00	\$0.00	\$0.00	\$0.00	\$6.00	
Booking Center Fee (Chester)	\$150.00	\$0.00	\$0.00	\$0.00	\$150.00	
CJES	\$2.50	\$0.00	\$0.00	\$0.00	\$2.50	
Clerk of Courts Administrative Fee (Chester)	\$8.00	\$0.00	\$0.00	\$0.00	\$8.00	
Clerk of Courts UDS Automation Fee (Chester)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00	
Clerks Cost (Chester)	\$75.00	\$0.00	\$0.00	\$0.00	\$75.00	
Commonwealth Cost - HB627 (Act 167 of 1992)	\$21.90	\$0.00	\$0.00	\$0.00	\$21.90	
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00	
County Court Cost (Act 204 of 1976)	\$32.00	\$0.00	\$0.00	\$0.00	\$32.00	
Crime Victims Compensation (Act 96 of 1984)	\$35.00	\$0.00	\$0.00	\$0.00	\$35.00	
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00	
Domestic Violence Compensation (Act 44 of 1988)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00	
Firearm Education and Training Fund	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00	
JCPS	\$21.25	\$0.00	\$0.00	\$0.00	\$21.25	
Judiciał Computer Project	\$8.00	\$0.00	\$0.00	\$0.00	\$8.00	
OAG - JCP	\$2.50	\$0.00	\$0.00	\$0.00	\$2.50	
State Court Costs (Act 204 of 1976)	\$14.60	\$0.00	\$0.00	\$0.00	\$14.60	
Victim Witness Service (Act 111 of 1998)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00	
Costs/Fees Totals:	\$3,149.75	\$0.00	\$0.00	\$0.00	\$3,149.75	
Fines						
Crimes Code, etc.	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00	
Fines Totals:	\$25.00	\$0.00	\$0.00		\$25.00 IBIT #2 E 10/11	

CPCMS 9082

Printed: 12/05/2022

COURT OF COMMON PLEAS OF CHESTER COUNTY

DOCKET

Docket Number: CP-15-CR-0000762-2020 CRIMINAL DOCKET

Court Case

	Commonwealth	of Pennsylvania			Page 10 of 10	
	ν.			Page 10 of 10		
	STATISTICS SECTION AND ADDRESS OF A DESCRIPTION OF A DESC	len Van Hassel			an entropy and the second second second second second	
Contraction of the second s	CASE FINANCIA	LINFORMATION	New York Company	2		
Van Hassel, Christopher Allen	Assessment	Payments	Adjustments	Non Monetary	Total	
Defendant				Payments		
Restitution						
Individual Restitution	\$1,500.00	\$0.00	\$0.00	\$0.00	\$1,500.00	
Insurance Company Restitution	\$813.37	\$0.00	\$0.00	\$0.00	\$813.37	
Insurance Company Restitution	\$21,050.33	\$0.00	\$0.00	\$0.00	\$21,050.33	
Restitution Totals:	\$23,363.70	\$0.00	\$0.00	\$0.00	\$23,363.70	
Grand Totals:	\$26,538.45	\$0.00	\$0.00	\$0.00	\$26,538.45	

** - Indicates assessment is subrogated

EXHIBIT #2 PAGE 11/11

CPCMS 9082

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Printed: 12/05/2022

State of Florida

Plonda Department of Business & Professional Regulation

Department of Business and Professional Regulation Chronology Report

Case #:	2023064914	1	incident da	ite: 07/07/2023	Status:	106 - Sent to	Directors office				
Lic Type:	1021	l	Disposition	1:							
Case Type:	Complaint										
Responsible:	Itrombetta - TROM	BETTA, LO	UIS								
Complainant:	DIVISION OF PA	DIVISION OF PARI MUTUEL WAGERING									
	1400 W COMME	ERCIAL BL	/D, STE 16	5, FORT LAUDER	DALE, FL 33309						
Respondent:	VANHASSEL, C	VANHASSEL, CHRISTOPHER A									
	4229 CAPRI ST	, SEBRING,	FL 33872								
Summary:	320 - TAMPA B/	AY DOWINS	, INC								
Chronology:	Effective Date	Туре	Lic Type	Code	Description		Responsible Party	Respondent			
	11/14/2023	А	7 9	440	Incoming Corresp	ondence	cstubbs1	VANHASSEL, CHRISTOPHER A			
	11/15/2023	A	10	15	Assigned to Inves	stigator	Imoore	VANHASSEL, CHRISTOPHER A			
	12/04/2023	А	10	50	Interview Respon	dent	Imoore	VANHASSEL, CHRISTOPHER A			
	11/27/2023	A	79	435	Telephone		Imoore	VANHASSEL, CHRISTOPHER A			
	11/20/2023	А	79	435	Telephone		Imoore	VANHASSEL, CHRISTOPHER A			
	11/16/2023	А	79	435	Telephone		Imoore	VANHASSEL, CHRISTOPHER A			

December 12, 2023 11:32

nfa5 - Chronology Report

Page 1 of 2



State of Florida Department of Business and Professional Regulation **Chronology Report**

Chronology:	Effective Date	Туре	Lic Type	Code	Description	Responsible Party Respondent
	12/12/2023	R		ltrombetta	TROMBETTA, LOUIS	ddonaldson
	12/11/2023	R		ddonaldson	DONALDSON, DAVID	cstubbs1
	11/15/2023	R		Imoore	ROUNDS, LEEANN	cstubbs1
	12/11/2023	R		bjones	JONES, BRADFORD	bjones
	11/15/2023	s	1021	10	Initial Review	cstubbs1
	11/15/2023	s	1021	20	Under Investigation	cstubbs1
	12/11/2023	s	1021	165	Supervisor Review	bjones
	12/11/2023	s	1021	90	Closed	cstubbs1
	12/12/2023	s	1021	106	Sent to Directors office	ddonaldson
	12/11/2023	s	1021	104	Sent to Licensing Section	cstubbs1
Allegation:	Code	Descriptio	n			

WAVR

Waiver of Crim. Conv. or Other Offenses

DD December 12, 2023 11:32

nfa5 - Chronology Report

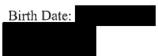
Page 2 of 2

								FAQ Help	o Sign (
VR Home	Inbox	Entity	Application	License	e Cash	Exam	Inspection	Enforcement	Repor
Complaint S Jpdate M	earch lass Status		ecording License Public Case In		Delete Com	plaint	Mass Activity U	pdate Mass	Discipline
omain 10 - E	Division of	Pari-Mu	tuel Wagering					Logged in a	s: cstubt
/R Home >	Complaint	Search >	Maintain Con	nplaint					
	021 - Pari Occupatio		Wagering Indiv	vidual	Status	104 Sen Licensin Section	ng	Status Date	2/11/202
omplaint #	202306491	14 C	ase Type CMP Com	- plaint	Disposition		Dis	position Date	
Docket#			VANHASS dent CHRISTO A	BEL,	Responsible	ddonald DONAL DAVID		-	Private Case
Complaint	Respo	ndent	Complainant	Addt'l Ir	nfo				
Source	LIC - Lice	nsee	Security Le	evel 1			Parties	Activ	ities
Form	WALK - V	Valk-in	Pric	ority		~	Allegations] 🗌 Disci	pline
Class'n	IIIB - Wai	vers	Comple	xity R - I	Regular	□.	Violations	Comp	liance
Security	STND - S	tandard	Incid	ient 07/0	7/2023		Related] 🗹 Dispo	sition
Region	CR - Cent Region	tral	Recei	ved 11/1	5/2023		Inspection]	
Reference							Costs]	
Entered	11/15/202	23	Entered	By cstu	ibbs1	П	ime Tracking	Auto A	ssign
Summary	320 - TAN	IPA BAY	DOWNS, INC				Attachments	Hist	ory
Updated	12/11/202	3 13:28:	58	By cstu	ıbbs1		Work Notes	Print R	teport
	[Change	a] [S	ave)K	Cancel	В	ack

Comprehensive Ruling Report

Rulings Against: CHRISTOPHER ALLEN VANHASSEL

Legal Name: CHRISTOPHER ALLEN VANHASSEL





10 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."

Ruling #: 1

Ruling Number:	13256PP	Date:	0/15/2013	
Issued By:	Pennsylvania Horse Racing Commission	Facility:	Philadelphia Park	
Ruling Type:	Unknown			
Division:	Horse	Breed:	horoughbred	
Effective Date:	N/A	Race Date:	I/A	
Infraction Date:	N/A	Infraction Faciliy:	I/A	
Race Number:	N/A	Animal Name:	J/A	
Under Appeal:	False	Appeal Date:	J/A	
Fine Amount:	\$0	Fine Paid:	I/A	
Suspension Start	: None	Suspension End:	lone	
Actions:				
Alpha Ruling: 13256 Action Text: General Ruling U #511142241 OF C	PON APPLICATION F	on Type: Initial Ruling OR A JOCKEY LIC NHASSEL IS HERE	Issue Date: 10/15 ENSE, THE STABLE EMPLOYE BY RESCINDED WITHOUT PR	ELICENSE
Action Text: General Ruling U	PON APPLICATION F	OR A JOCKEY LIC	ENSE, THE STABLE EMPLOYE	ELICENSE
Action Text: General Ruling U #511142241 OF C	PON APPLICATION F	OR A JOCKEY LIC	ENSE, THE STABLE EMPLOYE	ELICENSE
Action Text: General Ruling U #511142241 OF C Ruling #: 2	PON APPLICATION F CHRISTOPHER A. Var	OR A JOCKEY LIC hhassel is here	ENSE, THE STABLE EMPLOYE BY RESCINDED WITHOUT PR	ELICENSE
Action Text: General Ruling U #511142241 OF C Ruling #: 2 Ruling Number:	PON APPLICATION F CHRISTOPHER A. Var 08086PI Pennsylvania Horse	OR A JOCKEY LIC HASSEL IS HERE Date: Facility:	ENSE, THE STABLE EMPLOYE BY RESCINDED WITHOUT PR 9/11/2008	ELICENSE
Action Text: General Ruling U #511142241 OF C Ruling #: 2 Ruling Number: Issued By: Ruling Type:	PON APPLICATION F CHRISTOPHER A. Var 08086PI Pennsylvania Horse Racing Commission Failure to Honor	OR A JOCKEY LIC HASSEL IS HERE Date: Facility:	ENSE, THE STABLE EMPLOYE BY RESCINDED WITHOUT PR 9/11/2008	ELICENSE
Action Text: General Ruling U #511142241 OF C Ruling #: 2 Ruling Number: Issued By:	PON APPLICATION F CHRISTOPHER A. Var 08086PI Pennsylvania Horse Racing Commission Failure to Honor Declaration/Engager	OR A JOCKEY LIC hHASSEL IS HERE Date: Facility:	ENSE, THE STABLE EMPLOYE BY RESCINDED WITHOUT PR 9/11/2008 Presque Isle Downs	ELICENSE
Action Text: General Ruling U #511142241 OF C Ruling #: 2 Ruling Number: Issued By: Ruling Type: Division:	PON APPLICATION F CHRISTOPHER A. Var 08086PI Pennsylvania Horse Racing Commission Failure to Honor Declaration/Engager Horse	OR A JOCKEY LIC hHASSEL IS HERE Date: Facility: nent Breed:	ENSE, THE STABLE EMPLOYE BY RESCINDED WITHOUT PR 9/11/2008 Presque Isle Downs Thoroughbred N/A	EE LICENSE EJUDICE.
Action Text: General Ruling U #511142241 OF C Ruling #: 2 Ruling Number: Issued By: Ruling Type: Division: Effective Date:	PON APPLICATION F CHRISTOPHER A. Var 08086PI Pennsylvania Horse Racing Commission Failure to Honor Declaration/Engager Horse N/A	OR A JOCKEY LIC hHASSEL IS HERE Date: Facility: nent Breed: Race Date:	ENSE, THE STABLE EMPLOYE BY RESCINDED WITHOUT PR 9/11/2008 Presque Isle Downs Thoroughbred N/A	ELICENSE

/19/23, 1:27 PM		ARCI Onlin	e Comprehensive Ruling Re	(
Under Appeal:	False	Appeal Date:				
Fine Amount:	\$ 100	Fine Paid:	N/A			
Suspension Start	t: None	Suspension End: None				
Actions:						
Alpha Ruling: 08086 Action Text:	SPI Actio	on Type: Initial Rulin) 	ssue Date: 9/11/2008		
THE 8TH RACE, DOLLARS (\$100.	SEPTEMBER 10TH , 2 .00). THE STEWARDS	2008. YOU ARE H S FIND THAT THE	EREBY FINED THE DELAY OF THE EF	AGEMENT FOR THE 4T SUM OF ONE HUNDRE FECTIVE DATE OF THIS G IS EFFECTIVE IMMED	D RULING	
Ruling #: 3						
Ruling Number:	478	Date:	6/10/2007			
Issued By:	Delaware Racing Commission	Facility:	Delaware Park			
Ruling Type:	Falsification of License Application					
Division:	Horse	Breed:	Thoroughbred			
Effective Date:	N/A	Race Date:	N/A			
Infraction Date:	N/A	Infraction Faciliy:	N/A			
Race Number:	N/A	Animal Name:	N/A			
Under Appeal:	False	Appeal Date:	N/A			
Eine America	\$ 50	Fine Paid:	Yes			
rine Amount:	•					
Suspension Start		Suspension End:	None			
Fine Amount: Suspension Start Actions:	: None			Date: 6/10/2007		
Suspension Start Actions: Alpha Ruling: 478 Action Text: 105-2007 JOCKE FINED THE SUM	Action Type Action Type CHIP VANHASSEL OF FIFTY \$50.00 DC CENSE. REFER TO D	Initial Ruling , DOB HING	Issue AVING WAIVED HIS SIFICATION OF HIS	e Date: 6/10/2007 RIGHTS TO A HEARIN 2007 DELAWARE RACI SE PAID WITHIN 48 HOL	NG	
Suspension Start Actions: Alpha Ruling: 478 Action Text: 105-2007 JOCKE FINED THE SUM COMMISSION LI RULING 105-200	Action Type Action Type CHIP VANHASSEL OF FIFTY \$50.00 DC CENSE. REFER TO D	Initial Ruling , DOB HING	Issue AVING WAIVED HIS SIFICATION OF HIS	RIGHTS TO A HEARIN 2007 DELAWARE RACI	NG	
Suspension Start Actions: Alpha Ruling: 478 Action Text: 105-2007 JOCKE FINED THE SUM COMMISSION LI	Action Type Action Type CHIP VANHASSEL OF FIFTY \$50.00 DC CENSE. REFER TO D	Initial Ruling , DOB HING	Issue AVING WAIVED HIS SIFICATION OF HIS	RIGHTS TO A HEARIN 2007 DELAWARE RACI	NG	
Suspension Start Actions: Alpha Ruling: 478 Action Text: 105-2007 JOCKE FINED THE SUM COMMISSION LI RULING 105-200 Ruling #: 4 Ruling Number:	Action Type EY CHIP VANHASSEL I OF FIFTY \$50.00 DC CENSE. REFER TO D 7	Initial Ruling , DOB HOLLARS FOR FALS D.R.C RULES 2.5.1	Issue AVING WAIVED HIS SIFICATION OF HIS .3 & 3.4. FINE TO E	RIGHTS TO A HEARIN 2007 DELAWARE RACI E PAID WITHIN 48 HOU	NG	
Suspension Start Actions: Alpha Ruling: 478 Action Text: 105-2007 JOCKE FINED THE SUM COMMISSION LI RULING 105-200 Ruling #: 4 Ruling Number: Issued By:	Action Type EY CHIP VANHASSEL I OF FIFTY \$50.00 DC CENSE. REFER TO D 7 05-285MD Maryland Racing	DOB H DILARS FOR FALS D.R.C RULES 2.5.1	Issue AVING WAIVED HIS SIFICATION OF HIS .3 & 3.4. FINE TO E 12/29/2005	RIGHTS TO A HEARIN 2007 DELAWARE RACI E PAID WITHIN 48 HOU	NG	
Suspension Start Actions: Alpha Ruling: 478 Action Text: 105-2007 JOCKE FINED THE SUM COMMISSION LI RULING 105-200 Ruling #: 4 Ruling Number: Issued By: Ruling Type:	Action Type EY CHIP VANHASSEL OF FIFTY \$50.00 DC CENSE. REFER TO D 7 05-285MD Maryland Racing Commission Reinstatement to Good Standing in	DOB H DILARS FOR FALS D.R.C RULES 2.5.1	Issue AVING WAIVED HIS SIFICATION OF HIS .3 & 3.4. FINE TO E 12/29/2005	RIGHTS TO A HEARIN 2007 DELAWARE RACI E PAID WITHIN 48 HOU	NG	
Suspension Start Actions: Alpha Ruling: 478 Action Text: 105-2007 JOCKE FINED THE SUM COMMISSION LI RULING 105-200 Ruling #: 4 Ruling Number: Issued By: Ruling Type: Division:	Action Type EY CHIP VANHASSEL OF FIFTY \$50.00 DC CENSE. REFER TO D 7 05-285MD Maryland Racing Commission Reinstatement to Good Standing in State	Initial Ruling , DOB H DLLARS FOR FALS D.R.C RULES 2.5.1 Date: Facility:	Issue AVING WAIVED HIS SIFICATION OF HIS .3 & 3.4. FINE TO E 12/29/2005 Laurel Race Course	RIGHTS TO A HEARIN 2007 DELAWARE RACI E PAID WITHIN 48 HOU	NG	
Suspension Start Actions: Alpha Ruling: 478 Action Text: 105-2007 JOCKE FINED THE SUM COMMISSION LI RULING 105-200 Ruling #: 4 Ruling Number: Issued By: Ruling Type: Division: Effective Date: Infraction Date:	Action Type EY CHIP VANHASSEL OF FIFTY \$50.00 DC CENSE. REFER TO D 7 05-285MD Maryland Racing Commission Reinstatement to Good Standing in State Horse	Initial Ruling , DOB H DLLARS FOR FALS D.R.C RULES 2.5.1 Date: Facility: Breed:	Issue AVING WAIVED HIS SIFICATION OF HIS .3 & 3.4. FINE TO E 12/29/2005 Laurel Race Course Thoroughbred N/A	RIGHTS TO A HEARIN 2007 DELAWARE RACI E PAID WITHIN 48 HOU	NG	
Suspension Start Actions: Alpha Ruling: 478 Action Text: 105-2007 JOCKE FINED THE SUM COMMISSION LI RULING 105-200 RULING 105-200	Action Type EY CHIP VANHASSEL I OF FIFTY \$50.00 DC CENSE. REFER TO D 7 05-285MD Maryland Racing Commission Reinstatement to Good Standing in State Horse N/A	Initial Ruling , DOB HOLLARS FOR FALS D.R.C RULES 2.5.1 Date: Facility: Breed: Race Date:	Issue AVING WAIVED HIS SIFICATION OF HIS .3 & 3.4. FINE TO E 12/29/2005 Laurel Race Course Thoroughbred N/A	RIGHTS TO A HEARIN 2007 DELAWARE RACI E PAID WITHIN 48 HOU	NG	

https://www.arci-members.com/Rulings/AllRulingsReport.asp?ID=378834

		0		\bigcirc	
1/19/23, 1:27 PM		ARCI Online Comprehensive Ruli		uling Report	
Fine Amount:	\$ 0	Fine Paid:	N/A		
Suspension Star	t: None	Suspension E	nd: 12/29/2005		
Actions:					
Alpha Ruling: 05-28 Action Text:	5MD	Action Type: Initial F	Ruling	Issue Date: 12/29/2005	

In the matter of jockey Christopher A. Van Hassel, DOB 708 High Bridge Road, Bowie, MD 20720, subject of Stewards' Ruling #05-261 dated 12/04/05: On December 29, 2005, Christopher A. Van Hassel appeared before the Stewards in the presence of the Horsemen's Counseling Program (HCP) Coordinator for a hearing on his request to be reinstated to good standing. The HCP Coordinator testified that: (1) An evaluation of Van Hassel's condition has indicated that he does not meet the Diagnostic & Statistical Manual IV Criteria for Cannabis Dependence or Abuse; (2) Van Hassel has completed Phase I of the HCP; and (3) Van Hassel has provided the results of a urinalysis indicating that he is presently drug free. Based upon the above, and in accordance with COMAR 09.10.03.05, 佝(2), the Stewards hereby order that the suspension they had imposed on Christopher A, Van Hassel be lifted, BY ORDER OF THE STEWARDS

Ruling #: 5

Ruling Number:	05-261MD	Date:	12/4/2005
Issued By:	Maryland Racing Commission	Facility:	Laurel Race Course
Ruling Type:	Medication/Drug/Alcohol Violation - Human		
Division:	Horse	Breed:	Thoroughbred
Effective Date:	N/A	Race Date:	N/A
Infraction Date:	N/A	Infraction Faciliy:	N/A
Race Number:	N/A	Animal Name:	N/A
Under Appeal:	False	Appeal Date:	N/A
Drug:	Marijuana		
Fine Amount:	\$0	Fine Paid:	N/A
Suspension Start:	12/4/2005	Suspension End:	None
Actions:			

Alpha Ruling: 05-261MD

Action Type: Initial Ruling

Issue Date: 12/4/2005

Action Text:

On December 4, 2005, jockey Christopher A. Van Hassel, DOB , 708 High Bridge Road, Bowie, MD 20720, was directed by the Stewards to submit a specimen of urine for testing, as per COMAR 09.10.01.05 Drug Prohibition-Humans, 你(1)(b) and 你(2)(a). The specimen tested positive for the drug marijuana and Van Hassel was charged with a violation of the drug prohibition regulation and ordered to appear before the Stewards for a hearing in the matter. Christopher Van Hassel appeared before the Stewards in the absence of counsel and waived his right thereto. Based upon the evidence presented to them and Van Hassel's own admision that he had used the drug, the Stewards found Van Hassel in violation of the drug prohibition regulation. They also determined that this was his first such violation.. Accordingly, as per COMAR 09.10.03.05, 何 Disciplinary Action and Evaluation, the Stewards hereby order: (1) That the license issued to Christopher A. Van Hassel be suspended until such time as he has been professionally evaluated; and (2) That, while he is under suspension, Van Hassel be denied the privileges of all the grounds under the jurisdiction of the Maryland Racing Commission [COMAR 09.10.01.45, 即(1)(a)]. BY ORDER OF THE STEWARDS

Ruling #: 6

Ruling Number: 05157PN Date:

4/28/2005

Exhibit 4 Page 3/10

https://www.arci-members.com/Rulings/AllRulingsReport.asp?ID=378834

	\cap			\frown
1/19/23, 1:27 PM		ARCI Onlin	e Comprehensive Ruling	Re _F urt
Issued By:	Pennsylvania Horse Racing Commission	Facility:	Penn National	
Ruling Type:	Unknown			
Division:	Horse	Breed:	Thoroughbred	
Effective Date:	N/A	Race Date:	N/A	
Infraction Date:	N/A	Infraction Faciliy:	N/A	
Race Number:	N/A	Animal Name:	N/A	
Under Appeal:	False	Appeal Date:	N/A	
Fine Amount:	\$0	Fine Paid:	N/A	
Suspension Start: Actions:	None	Suspension End:	None	
Alpha Ruling: 05157F Action Text: , General Ruling U HEREBY RESCIN		ion Type: Initial Rulin JOCKEY LICENSE JUDICE PER RUL	E, HIS APPRENTI	Issue Date: 4/28/2005
Ruling #: 7				
Ruling Number:	04676PN	Date:	11/17/2004	
Issued By:	Pennsylvania Horse Racing Commission	Facility	Penn National	
Ruling Type:	Reinstatement to Good Standing in State			
Division:	Horse	Breed:	Thoroughbred	
Effective Date:	N/A	Race Date:	N/A	
Infraction Date:	N/A	Infraction Faciliy:	N/A	
Race Number:	N/A	Animal Name:	N/A	
Under Appeal:	False	Appeal Date:	N/A	
Fine Amount:	\$0	Fine Paid:	N/A	
Suspension Start: Actions:	None	Suspension End:	None	
Alpha Ruling: 04676F Action Text:		on Type: Initial Rulin	•	Issue Date: 11/17/2004
, Failure to fulfill rid RESTORED TO G	ling engagement FOF OOD STANDING PE	R THE 7TH RACE. R RULING #04775	HAVING PAID A 5PN .	N OUTSTANDING FINE IS HEREBY
Ruling #: 8		W-V-V		
Ruling Number:	04676PN	Date:	10/23/2004	
Issued By:	Pennsylvania Horse Racing Commission		Penn National	
Ruling Type:	License Denied, Rescinded, Revoked, Suspended,			Exhibit 4 Page 4/10

/19/23, 1:27 PM		ARCI Online C	omprehensive Ruling Report	
	Withdrawn or		singlementarie (Kulling Kep off	
	Exclusion			
Division:	Horse	Breed: Th	oroughbred	
Effective Date:	N/A	Race Date: N/	A	
Infraction Date:	N/A	Infraction Faciliy: N/	A	
Race Number:	N/A	Animal Name: N/	A	
Under Appeal:	False	Appeal Date: N/	A	
Fine Amount:	\$0	Fine Paid: N/	A	
Suspension Start:	11/2/2004	Suspension End: No	one	
Actions:		·		
Alpha Ruling: 04676	PN Acti	on Type: Initial Ruling	Issue Date: 10/2	23/2004
Action Text:				
, Failure to fulfill rid	ding engagement FOI DED PER RULING #0	R THE 7TH RACE. H	AVING FAILED TO PAY THE	FINE OF \$50.00 IS
BEING SUSPENL	ED PER RULING #0	4724PN.		and the second
Ruling #: 9				
Ruling Number:	04676PN	Date:	10/1/2004	
Issued By:	Pennsylvania Horse Racing Commission		Penn National	
Ruling Type:	Failure to Honor Declaration/Engager	ment		
Division:	Horse	Breed:	Thoroughbred	
Effective Date:	N/A	Race Date:	N/A	
Infraction Date:	N/A	Infraction Faciliy	/: N/A	
Race Number:	N/A	Animal Name:	N/A	
Under Appeal:	False	Appeal Date:	N/A	
Fine Amount:	\$ 50	Fine Paid:	N/A	
Suspension Start:	None	Suspension End	: None	
Actions:				
Alpha Ruling: 04676	PN Act	ion Type: Initial Ruling	Issue Date: 10)/1/2004
Alpha Ruling: 04676l Action Text:	PN Act	•	Issue Date: 10)/1/2004
Alpha Ruling: 04676l Action Text: , Failure to fulfill ri d		R THE 7TH RACE.	Issue Date: 10	
Alpha Ruling: 04676l Action Text:		R THE 7TH RACE.		
Alpha Ruling: 04676l Action Text: , Failure to fulfill ri d Ruling #: 10	ding engagement FOI	R THE 7TH RACE.		
Alpha Ruling: 04676 Action Text: , Failure to fulfill rid Ruling #: 10 Ruling Number:	ding engagement FOI 04-175MD Maryland Racing	Date: Facility:	10/1/2004	
Alpha Ruling: 04676l Action Text: , Failure to fulfill rid Ruling #: 10 Ruling Number: Issued By:	ding engagement FOI 04-175MD Maryland Racing Commission Careless/Unsafe/Imp	Date: Facility:	10/1/2004	
Alpha Ruling: 04676 Action Text: , Failure to fulfill rid Ruling #: 10 Ruling Number: Issued By: Ruling Type:	ding engagement FOI 04-175MD Maryland Racing Commission Careless/Unsafe/Imp Riding or Driving	Date: Facility:	10/1/2004 Pimlico	
Alpha Ruling: 04676 Action Text: , Failure to fulfill rid Ruling #: 10 Ruling Number: Issued By: Ruling Type: Division:	ding engagement FOI 04-175MD Maryland Racing Commission Careless/Unsafe/Imp Riding or Driving Horse	Date: Facility: Breed:	10/1/2004 Pimlico Thoroughbred N/A	

1/19/23, 1:27 PM		ARCI Online C	Comprehensive Ruling Report	
Under Appeal:	False	Appeal Date:	N/A	
Fine Amount:	\$ O	Fine Paid:	N/A	
Suspension Start: 10/9/2004		Suspension E	End: None	
Actions:				
Alpha Ruling: 04-175	MD	Action Type: Initial Ruling	ng Issue Date: 10/1/2004	
Action Text:				
	MD	Action Type: Initial Ruling	Issue Date: 10/1/2004	

Apprentice jockey Christopher A. Van Hassel, DOB **Market**, is ordered suspended five (5) Maryland racing days, October 9, 10, 11, 14 and 15, 2004, for riding his mount, "My Terms", in a careless manner in the fifth race at Pimlico Race Course on September 30, 2004, by coming out from behind the lead horse at the top of the stretch without having sufficient room to do so and, in doing so, jostling the horse "Dance In Flight" and forcing its rider to check. [COMAR 09.10.01.50, 你(2)(b) and 低.] However, apprentice jockey Van Hassel having requested permission to ride in "The Yankee Fashion" stake, a designated race at Philadelphia Park, on October 9, 2004, was granted permission to do so with the condition that he serve an additional day of suspension on October 16, 2004. [COMAR 09.10.01.45, 你A(2).] BY ORDER OF THE STEWARDS

December 5th, 2023

To: Florida Gaming Commission – To Whom it may concern From: Dr. Douglas S. Kindred – Owner, Ocala FL Re. Chip Van Hassel, Jockey License Reinstatement/Renewal

Dear Sir/Madame,

I met Mr. Van Hassel (Chip) this past spring at the Ocala Farm Ministry, where I frequently preach. Since then I have gotten to know him, and I find him to be a good man; honest, dependable, intelligent, caring, and trustworthy.

I am aware that Chip has had trouble in the past with drugs/alcohol, but I am very confident that those troubles are now behind him. I have seen tremendous progress in his understanding, in his Spiritual growth and knowledge and love of the Lord.

Chip is a good horseman and a fine rider. I plan to race two horses in the late spring and summer, and would not hesitate to name Mr. Van Hassel on my horses. I ask that you please reinstate him; he deserves another chance and needs to make a living using his God given talent.

I appreciate your timely consideration in this matter.

Sincerely,







Kitchens, Randall

From:	Chip Mail <lonesometao@gmail.com></lonesometao@gmail.com>
Sent:	Thursday, December 29, 2022 5:36 PM
То:	Kitchens, Randall
Subject:	Re: Waiver and Release
Attachments:	image001.png; ATT00001.htm; VANHASSEL, CHRISTOPHER A.doc; ATT00002.htm; DBPRPMW_3180 - Waiver Request.pdf; ATT00003.htm; DBPRPMW_3195 - Release of Information.pdf; ATT00004.htm; DBPRPMW_3120.pdf; ATT00005.htm

[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.

At this time I am rescinding any license I have a applied for. Florida simply does not deserve to have somebody of my prowess to be judged by a bunch of people who don't even know if they are a-foot or horseback. Thank me. I am welcome. Christopher A. Van Hassel Gentleman Journeyman Jockey

On Dec 5, 2022, at 4:50 PM, Kitchens, Randall <Randall.Kitchens@fgcc.fl.gov> wrote:

Please fill out and return the attached documents.

Thank you!





Division of P Robe	Departme	FILED Int of Business and Professional Regulation Deputy Agency Clerk
Taliahas Phone: 850.488.9130	CLERK Date	Evette Lawson-Proctor 6/5/2018
Pick	File #	

EXHIBIT #4

PAGE 9/10

Jonathan Zachem, Secretary

May 23, 2018

Mr. Christopher A. Vanhassel 4229 Capri Street Sebring, Florida 33872

RE: Case No. 2018-025813

Dear Mr. Vanhassel:

This correspondence (hereinafter "Denial Letter") is to inform you that your application for an individual occupational license is denied. This Denial Letter is based upon your failure to timely correct errors and/or omissions, or to provide supplemental information as requested by the Division of Pari-Mutuel Wagering (the "Division") related to your licensure application under Section 120.60, and Section 550.105, Florida Statutes and the rules promulgated thereunder.

Enclosed is a copy of the Division's notice of items ("Deficiency Letter") that you failed to submit in support of the denied application. Please be advised that you may not engage or participate in any activity at any Florida pari-mutuel facility which requires an individual to hold a valid occupational license to perform such activity.

Please note that this Denial Letter does not prohibit you from submitting a new application for an individual occupational license. If you choose to submit a new application, you will be required to submit all fees and costs associated with that application. All applications for an individual occupational license must be complete and accurate, and must include all of the missing information that formed the basis for this Denial Letter.

If you have any questions or concerns with regard to this matter, please do not hesitate to contact our Customer Contact Center at (850) 487-1395.

Sincerely, Robert Ehrhardt, Director

Division of Pari-Mutuel Wagering

Enclosure: Deficiency Letter

LICENSE EFFICIENTLY. REGULATE FAIRLY. WWW.MYFLORIDALICENSE.COM

CERTIFICATE OF SERVICE

I HEREBY CERTIFY on this <u>5</u> day of <u>fume</u>, 2018, a true and correct copy of the foregoing "Denial Letter" has been furnished via U.S. Mail to:

Mr. Christopher A. Vanhassel 4229 Capri Strteet Sebring, Florida 33872

Swith L. Proctor

AGENCY CLERK'S OFFICE Department of Business & Professional Regulation

LICENSE EFFICIENTLY. REGULATE FAIRLY. WWW.MYFLORIDALICENSE.COM

EXHIBIT #4 PAGE 10/10 **Ricks, Glenda**

From:	PMW Operations
Sent:	Thursday, December 8, 2022 5:03 PM
To:	'lonesometao@gmail.com'
Subject:	Florida Licensure
Attachments:	PMW - Supporting Document - VANHASSEL, CHRISTOPHER A 22-25 - Lic 3904804 - App 189772.pdf;
	PMW - DEF LTR - Key Name VANHASSEL, CHRISTOPHER A - License Number 3904804 License Type 1022
	12-5-2022.pdf

Mr. Van Hassel:

On 11/21/22 an application for a PMW General Individual Occupational license was received at Tampa Bay Downs. The paperwork was sent forward and received in the Tallahassee licensing office on 11/29/22 for processing. A deficiency letter (copy attached) was issued on 12/5/22 indicating errors and/or omissions on page 2 of the application. You were also notified that you may request a waiver of disqualifying factors that would otherwise be grounds for denial.

On 12/6/22 an amended page 2 of the application was received via email (copy attached), as well as a "Request for Release of Information and Authorization to Release Information" (form DBPR PMW-3195). However, the release form is incomplete because it was not notarized. The "Request for Waiver" (form DBPR PMW 3180) was not received.

If it is your intent to request a waiver of a disqualifying event, you may provide a complete and notarized "Request for Release of Information and Authorization to Release Information" (form DBPR PMW-3195) and a complete "Request for Waiver" (form DBPR PMW 3180). For your convenience, please find a link to these forms below. The Division will process a request for waiver upon receipt of the appropriate forms and a complete application. Otherwise, the application will be processed as is.

Please note that this correspondence is also being sent to you via US mail service to the address provided on your application.

https://fgcc.fl.gov/pmw/forms/docs/DBPRPMW-3195-E.pdf

https://fgcc.fl.gov/pmw/forms/docs/DBPRPMW_3180.pdf



Florida Gaming Control Commission <u>Division of Pari-Mutuel Wagering</u>, Office of Operations 2601 Blair Stone Road, Tallahassee, FL 32399-1037 Office: (850) 488.3211 ~ Fax: (850) 410.5350 <u>PMWOperations@fgcc.fl.gov</u>

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, diasemination, 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 officiels 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. <u>LARGER VIEW</u>

Kitchens, Randall

From: Sent: To: Subject: Attachments: Chip Mail <lonesometao@gmail.com> Thursday, December 29, 2022 5:36 PM Kitchens, Randall Re: Waiver and Release image001.png; ATT00001.htm; VANHASSEL, CHRISTOPHER A.doc; ATT00002.htm; DBPRPMW_3180 - Waiver Request.pdf; ATT00003.htm; DBPRPMW_3195 - Release of Information.pdf; ATT00004.htm; DBPRPMW_3120.pdf; ATT00005.htm

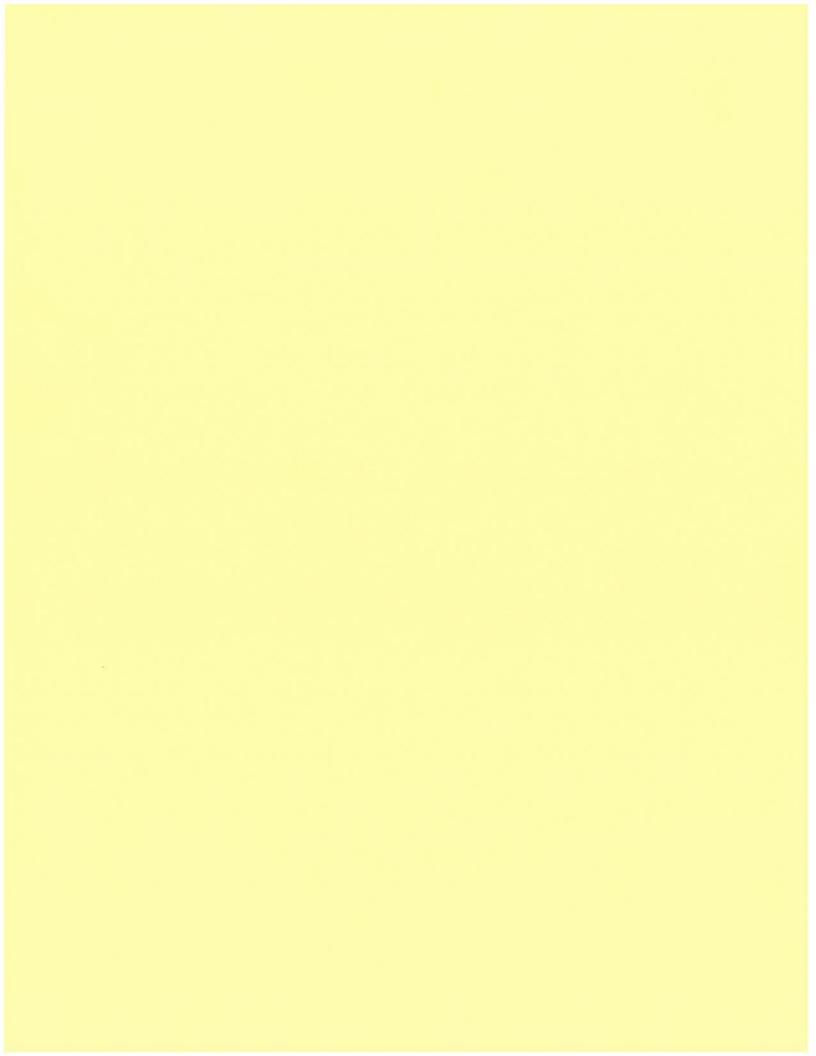
[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.

At this time I am rescinding any license I have a applied for. Florida simply does not deserve to have somebody of my prowess to be judged by a bunch of people who don't even know if they are a-foot or horseback. Thank me. I am welcome. Christopher A. Van Hassel Gentleman Journeyman Jockey

On Dec 5, 2022, at 4:50 PM, Kitchens, Randall <Randall.Kitchens@fgcc.fl.gov> wrote:

Please fill out and return the attached documents.

Thank you!



MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Justin Hundersmarck, Senior Attorney
Re:	Michael J. Newnum FGCC; Case No. 2024-009404
Date:	February 3, 2025

Executive Summary

Michael J. Newnum ("Petitioner") submitted an application for a cardroom employee occupational license (the "Application"). Following review of the Application submitted by Petitioner, the Commission issued a Letter of License Denial, notifying Petitioner of its intent to deny the Application based on Petitioner's misdemeanor conviction involving larceny. Petitioner requested an informal hearing, which was held on December 17, 2024. On January 31, 2024, the informal Hearing Officer recommended denying Petitioner's Application. The Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission adopt the Hearing Officer's recommended order and deny Petitioner's application for a cardroom employee occupational license.

Pertinent Facts

On March 26, 2024, the Executive Director, having reviewed the waiver report and all relevant information and documents, declined to waive the restrictions excluding offenders. On May 14, 2024, the Commission issued a Letter of License Denial, notifying Petitioner of its intent to deny the Application based on Petitioner's misdemeanor involving larceny. Specifically, Petitioner was convicted of:

Receiving Stolen Property

On June 25, 2024, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes. At the informal hearing held on December 17, 2024, Petitioner testified to the circumstances that led to this conviction. On January 30, 2024, the Hearing Officer issued a recommended order recommending the denial of Petitioner's Application.

Relevant Law

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

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

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

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

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

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 commission."

<u>Staff Recommendation</u>: The Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission adopt the Hearing Officer's recommended order and deny Petitioner's application for a cardroom employee occupational license.

	FILED	
FLORIDA GAMING CONTROL COMMISSION		
Date:	1/31/2025	
File Number:		
BY:	MELBA L. APELLANIZ	
CLER	K OF THE COMMISSION	

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

MICHAEL J. NEWNUM

FGCC Case No.: 2024-009404

Petitioner,

v.

FLORIDA GAMING CONTROL COMMISSION DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

/

HEARING OFFICER'S AMENDED RECOMMENDED ORDER

THIS MATTER came before Renee Harkins, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on December 17, 2024, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of Michael Newnum's ("Petitioner's") petition for a hearing in response to the Commission's Letter of License Denial filed in FGCC Case Number 2024-009404. The Commission was represented by Emily Alvarado, Chief Attorney. Petitioner appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about October 3, 2023, the Florida Division of Pari-Mutuel Wagering ("Division") received an application from Petitioner for a Pari-Mutuel Cardroom Employee License. On the 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?"

2. Upon receipt of Petitioner's criminal history report, the Division sent Petitioner a deficiency letter on or about October 10, 2023, requesting that he list and provide court dispositions for his arrests.

3. On or about November 17, 2023, Petitioner submitted an amended application. He disclosed a 2008 misdemeanor conviction for possession of paraphernalia and a 2018 misdemeanor conviction for receiving stolen property, both of which occurred in the state of Missouri.

4. On or about February 14, 2024, the Division received a Request for Waiver from Petitioner.

5. On or about May 14, 2024, the Commission filed a Letter of License Denial, seeking to deny Petitioner's license application based upon his criminal disposition.

6. On or about June 25, 2024, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

The December 17, 2024, Informal Hearing

7. A hearing pursuant to section 120.57(2), Florida Statutes, was held on December 17, 2024. During this hearing, the Commission presented the issues raised in the Letter of License Denial. The Hearing Officer granted the Commission's motion for the Letter of License Denial and the investigative packet to be admitted to the record.

8. The investigative packet contained a letter of license denial from the Commission filed on May 14, 2024, informing Petitioner of the Commission's decision to deny his application for a Cardroom Employee Occupational License.

2

9. Additionally, the letter of license denial provided that Petitioner's misdemeanor conviction "is a disqualifying offense under Section 849.086(6)(g), Florida Statutes," and Petitioner's request for a waiver was "denied based on your failure to meet the requirements of Section 550.105(5)(c), Florida Statutes."

10. At the hearing, the Petitioner testified that the incident arose when he was in a Missouri Wal-Mart store with his wife checking out near the registers. He stated that he was waiting near the door with a large television and that his wife was in line, preparing to purchase it, when the security team apprehended him and accused him of trying to steal the television.

11. Petitioner stated that he did not leave the premises with the television and did not believe he should have been charged for receiving stolen property as he was still inside the store. He said he felt that because the TV was large and conspicuous, it should be obvious to anyone that he wasn't attempting to leave without paying for the item. He stated that he and his wife were also ringing up additional household items and had the money to pay for all their purchases, including the TV.

12. The petitioner stated that he is a good person and has not been in trouble apart from the two misdemeanor arrests, the 2018 conviction being the most recent.

FINDINGS OF FACT

13. On or about October 12, 2018, the Petitioner entered a guilty plea in a negotiated settlement for one misdemeanor charge of receiving stolen property in Case Number 1616-CR04879-01 in Jackson County, Missouri.

14. Petitioner did not disclose his complete criminal history on his initial application for licensure and did not provide the Commission with the requisite court disposition records for disclosed convictions, as required by the form.

CONCLUSIONS OF LAW

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

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

17. The Commission is the state agency charged with regulating pari-mutuel wagering operations pursuant to chapter 550, Florida Statutes.

18. Section 849.086(6)(g), Florida Statutes, states in pertinent part: The 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.

19. Pursuant to section 550.105(5)(d), Florida Statutes, 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.

20. Pursuant to section 849.086(6)(g), Florida Statutes, Petitioner's 2018 misdemeanor conviction is a disqualifying offense.

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

4

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

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

24. In the present case, Petitioner has a disqualifying misdemeanor criminal conviction entered October 12, 2018, and did not disclose any criminal history on his initial application. Petitioner failed to establish good moral character or rehabilitation as set out in section 550.105(5)(c), Florida Statutes.

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

RECOMMENDED ORDER

WHEREFORE, based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Florida Gaming Control Commission enter a Final Order DENYING Petitioner's application for a Pari-Mutuel Cardroom Employee License.ⁱ

This Recommended Order in FGCC Case Number 2024-009404 is submitted this 30th day of January, 2025.

Harlein

Renee Harkins Hearing Officer Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 30th day of January 2025 that a true copy of the foregoing "Hearing

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

Michael Newnum 18545 Northwest 45th Avenue Road, Site 74A Citra, Florida 32113 MikeNewnum@gmail.com

Emily Alvarado Counsel for Respondent Emily.Alvarado@flgaming.gov

ankino

Renee Harkins Hearing Officer Florida Gaming Control Commission

ⁱ The amended order corrects a scrivener error as provided in Rule 1.540, F.R.C.P.

NEWNUM, MICHAEL J Case No. 2024-009404 Informal Hearing Packet

Documents Included in Case File

Exhibit 1	Notice of Hearing
Exhibit 2	. Election of Rights/ Defective Election of Rights
Exhibit 3	Letter of License Denial
Exhibit 4	. Report of Investigation



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

November 26, 2024

Michael J. Newnum 18545 NW 45th Avenue Road, Site 74A Citra, Florida 32113 mikenewnum@gmail.com

> RE: FGCC v. NEWNUM, MICHAEL J Case No.: 2024-009404

Enclosed please find a Notice of Hearing for the informal hearing that has been scheduled in the above-referenced case. **Your hearing is scheduled to be heard on Tuesday, December 17, 2024, between 9:30 AM and 2:00 PM (Eastern Time).** Please read the Notice of Hearing for more details about the date, time, location and instructions for the hearing. A copy of the Commission's case file has been mailed to your address of record. Please ensure that you have this case file available during the hearing, as you may need to refer to it throughout the hearing.

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

<u>Please note:</u> If you choose not to attend the hearing in person or by video conference, we will be conducting the hearing telephonically; you will be contacted **between 9:30 AM and 2:00 PM (EST) at the following number: (816) 874-9201.** Please contact me as soon as possible to notify me of a correct number at which to reach you. Failure to answer the telephone, promptly return a missed call, or hold an open line <u>will result</u> in the hearing proceeding without you.

Below please find information about the informal hearing process:

- 1. The Informal Hearing is held on the date and time noted in the Notice of Hearing.
- 2. A Final Order will be issued within approximately 90 days after the date of the hearing. The Final Order is the **final** agency action and will describe the resolution of your case.

Should you have any questions or need any assistance, please feel free to contact me via telephone or email at 850-794-8072 or <u>Ebonie.Lanier@flgaming.gov.</u>

Sincerely,

Ist Elionie Lanier

Ebonie Lanier Administrative Assistant III (850) 794-8072

Enclosures: Notice of Hearing and Case File

OFFICE OF THE GENERAL COUNSEL 4070 ESPLANADE WAY, SUITE 250 TALLAHASSEE, FLORIDA 32399 <u>FLGAMING.GOV</u>

ſ	EXHIBIT
tabbies"	1

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

MICHAEL J. NEWNUM,

Petitioner,

v.

FGCC Case No..: 2024-009404

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

Respondent.

.

NOTICE OF TELEPHONIC HEARING

TO: Michael J. Newnum 18545 NW 45th Avenue Road, Site 74A Citra, Florida 32113 mikenewnum@gmail.com

YOU ARE HEREBY NOTIFIED that the Commission's designated Hearing Officer will conduct a hearing in this matter, pursuant to Section 120.57(2), Florida Statutes. If you wish to present oral or written evidence, you must attend the hearing. The hearing is scheduled for **Tuesday**, **December 17, 2024 The Hearing Officer will call you at (816) 874-9201 sometime between 9:30 AM – 2:00 PM (EST)**. Please be available to take the Hearing Officer's call. Failure to answer the telephone, promptly return a voicemail, or hold an open line may result in the hearing proceeding without you.

You may elect to attend the hearing in person or by video conference. If you wish to do so, you must contact the Commission by email at <u>Ebonie.Lanier@flgaming.gov</u> or telephone at (850) 794-8072, at least seven (7) days prior to your hearing date. If you do not elect to attend by video conference or in person, the hearing will automatically be held by telephone only. You may also provide written or oral evidence or have witnesses testify on your behalf. Any evidence that you wish to present to the Hearing Officer and any names and contact information of witnesses you plan to call FGCC vs. NEWNUM, MICHAEL J FGCC Case No. 2024-009404

at the hearing should be emailed to <u>Renee.Harkins@flgaming.gov</u>, and <u>Emily.Alvarado@flgaming.gov</u> at least 7 days before the date of the hearing. If you do not have an email address, please contact me for an alternative method to provide the requested information.

If you cannot attend the hearing and wish to request a continuance for good cause, you must notify the Hearing Officer at <u>Renee.Harkins@flgaming.gov</u> and Opposing Counsel at <u>Emily.Alvarado@flgaming.gov</u> at least five (5) days prior to your hearing date. Continuance requests made within five (5) days of the hearing can only be granted for emergencies.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: the above-named parties via certified mail, on this 26th day of November, 2024.

By: Ist Ebonie Lanier

Ebonie Lanier Administrative Assistant III Florida Gaming Control Commission Office of the General Counsel Division of Pari-Mutuel Wagering 4070 Esplanade Way, Suite 250 Tallahassee, Florida 32399 Telephone: (850) 794-8072 Facsimile: (850) 536-8709 Ebonie.Lanier@flgaming.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Ebonie Lanier at (850) 794-8072. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.



Ebonie Lanier

From:	Ebonie Lanier
Sent:	Tuesday, September 10, 2024 9:22 AM
To:	'Popeye mike Newnum'
Subject:	3rd Attempt - RE: Florida Gaming Control Commission - Case No. 2024009404
Attachments:	2024009494 - NEWNUM.pdf

Good Morning Mr. Newnum,

I am following up on your hearing request. You did not indicate the type of hearing you are requesting.

Please fill out pages 4 and 5 of the attached document to specify which type of hearing you are requesting. Once completed, you can mail, fax, or email the pages back to me.

Note: You can also respond via email to indicate whether you would like to request a Formal or Informal Hearing. Please review the attached pages to determine the type of hearing you prefer.

Thanks, - Ebonie Lanier

From: Ebonie Lanier
Sent: Monday, July 29, 2024 10:12 AM
To: 'Popeye mike Newnum' <mikenewnum@gmail.com>
Subject: 2nd Attempt - RE: Florida Gaming Control Commission - Case No. 2024009404

Good Morning Mr. Newnum,

I am following up on your hearing request. You did not indicate the type of hearing you are requesting.

Please fill out pages 4 and 5 of the attached document to specify which type of hearing you are requesting. Once completed, you can mail, fax, or email the pages back to me. Thanks,

- Ebonie Lanier

From: Ebonie Lanier
Sent: Thursday, June 27, 2024 4:10 PM
To: Popeye mike Newnum <<u>mikenewnum@gmail.com</u>>
Subject: RE: Florida Gaming Control Commission - Case No. 2024009404

Good Afternoon Mr. Newnum,

Please complete pages 4-5 of the attached document to specify the type of hearing you would like to request.

Thanks, - Ebonie Lanier From: Popeye mike Newnum <<u>mikenewnum@gmail.com</u>>
Sent: Tuesday, June 25, 2024 7:00 PM
To: Ebonie Lanier <<u>Ebonie.Lanier@flgaming.gov</u>>
Subject: Re: Florida Gaming Control Commission - Case No. 2024009404

No I have not got it I want a hearing

On Tue, Jun 25, 2024, 10:53 AM Ebonie Lanier < Ebonie.Lanier@flgaming.gov wrote:

Good Afternoon Mr. Newnum,

The Florida Gaming Control Commission has attempted to send the enclosed documents to your current address. Unfortunately, we have not received confirmation from USPS that you have received the documents at this time.

Please inform us if there is a new address to which we should send the documents, or confirm that you have received the attached documents for Case No. 2024009404 via email.

Thanks,

×

-Ebonie Lanier

Ebonie Lanier

Administrative Assistant III Office of the General Counsel Office: (850) 794-8072 Fax: (850) 536-8709

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. $\underline{LARGER\ VIEW}$

Ebonie Lanier

From:	Ebonie Lanier
Sent:	Monday, July 29, 2024 10:12 AM
То:	'Popeye mike Newnum'
Subject:	2nd Attempt - RE: Florida Gaming Control Commission - Case No. 2024009404
Attachments:	2024009494 - NEWNUM.pdf

Good Morning Mr. Newnum,

I am following up on your hearing request. You did not indicate the type of hearing you are requesting.

Please fill out pages 4 and 5 of the attached document to specify which type of hearing you are requesting. Once completed, you can mail, fax, or email the pages back to me. Thanks. - Ebonie Lanier

From: Ebonie Lanier Sent: Thursday, June 27, 2024 4:10 PM To: Popeye mike Newnum <mikenewnum@gmail.com> Subject: RE: Florida Gaming Control Commission - Case No. 2024009404

Good Afternoon Mr. Newnum,

Please complete pages 4-5 of the attached document to specify the type of hearing you would like to request.

Thanks. - Ebonie Lanier

From: Popeye mike Newnum <mikenewnum@gmail.com> Sent: Tuesday, June 25, 2024 7:00 PM To: Ebonie Lanier < Ebonie.Lanier@flgaming.gov> Subject: Re: Florida Gaming Control Commission - Case No. 2024009404

No I have not got it I want a hearing

On Tue, Jun 25, 2024, 10:53 AM Ebonie Lanier < Ebonie.Lanier@flgaming.gov > wrote:

Good Afternoon Mr. Newnum,

The Florida Gaming Control Commission has attempted to send the enclosed documents to your current address. Unfortunately, we have not received confirmation from USPS that you have received the documents at this time.

Please inform us if there is a new address to which we should send the documents, or confirm that you have received the attached documents for Case No. 2024009404 via email.

Thanks,

-Ebonie Lanier

The lobed maps cannot be diplayed. The fit may have been moved, recarded, or deleted Verfay that the kits point to the connet fits and location.

Ebonie Lanier

Administrative Assistant III Office of the General Counsel Office: (850) 794-8072 Fax: (850) 536-8709

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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. $\underline{LARGER\ VIEW}$



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

May 14, 2024

Mr. Michael Newnum 18545 Northwest 45th Avenue Road, Site 74A Citra, FL 32113 FILED
FLORIDA GAMING CONTROL COMMISSION
Date: 5/14/2024
File Number: _____

BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION

Letter of License Denial

EXHIBIT

Dear Mr. Newnum:

This Letter of License Denial ("Denial") serves to inform you that your application for a Cardroom Employee Occupational License and Request for Waiver is denied in accordance with the provisions of chapters 550 and 849, Florida Statutes, and the rules promulgated thereunder. This Denial is based upon your following criminal disposition:

10/12/2018 – Receiving Stolen Property (M) – Adjudicated Guilty – Jackson County, Missouri (Case No. 1616-CR04879-01)

This conviction is a disqualifying offense under section 849.086(6)(g), Florida Statutes.

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

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

Pursuant to sections 120.569 and 120.57, Florida Statutes, you may request a hearing to challenge the Commission's decision within twenty-one (21) days of receipt of this Denial, as provided for in Rule 28-106, Florida Administrative Code, and the attached Notice of Rights.

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

Sincerely,

Melba Apellaniz Clerk of the Commission

Attachment: Notice of Rights

CERTIFICATE OF SERVICE

I hereby certify this $\underline{14^{++}}$ day of $\underline{14^{++}}$, 2024, that a true copy of the

foregoing has been furnished by U.S. Certified mail to:

Mr. Michael Newnum 18545 Northwest 45th Avenue Road, Site 74A Citra, FL 32113 mikenewnum@gmail.com

CLERK OF THE COMMISSION Florida Gaming Control Commission

Case No. 2024-009404



NOTICE OF RIGHTS

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

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

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

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

If a hearing pursuant to sections 120.569 and 120.57, Florida Statutes, is not requested within 21 days, the foregoing Letter of License Denial will become a Final Order. Any party adversely affected by this Final Order has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 (email: clerk@flgaming.gov), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the is filed with the Clerk.

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

EXHIBIT 4 ROUTING SLI REQUEST FOR W	-
RE: <u>NEWNUM, MICHAEL J. – 13767548</u> (APPLICANT'S NAME – LICENSE #)	Case No: <u>2024 00 9404</u>
<u>1012 – Cage Cashier</u> Occupation Code and Job Title	<u>950 – Ocala Breeder Sales (Ocala Bets)</u> Facility (d/b/a name)
90-DAY RESPONSE DEADLINE:	MAY 16, 2024
Investigations Section: Reviewed by Bradford D. Jones	(Initial & Date)
Investigations Section: Reviewed by Bradford D. Jones	(Initiál & Date)
The attached "Request for Waiver" file has been reviewed for co	(Initiál & Date)
The attached "Request for Waiver" file has been reviewed for conforwarded to the Licensing Section.	(Initial & Date) Completeness and accuracy and has been (Initial & Date)
The attached "Request for Waiver" file has been reviewed for co forwarded to the Licensing Section. <u>Licensing Section</u> : Reviewed by: $\frac{DD 03/20/2024}{(Initial & Date)}$ Is the applicant currently under suspension, has unpaid fines, o	(Initial & Date) Completeness and accuracy and has been (Initial & Date)

[] Prepare Waiver or $[\sqrt{}]$ Prepare File for Commission Review

Comments:

Investigative Findings:

November 14, 2016 Independence Police Department, MO. – Receiving Stolen Property – Misdemeanor – Pled Guilty – Convicted on October 12, 2018 – Sentenced to 180 days in Jail (Suspended), and 2 years' Probation supervised. - Early termination of probation on October 31, 2019.



Louis Trombetta, Executive Director

40

S

March 18, 2024

Bradford D. Jones /

Division of Pari-Mutuel Wagering Office of Investigations 1400 West Commercial Boulevard, Suite 165 Ft. Lauderdale, Florida 33309 Phone: 754.288.1055 • Fax: 754.315.8380

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

WAIVER INVESTIGATIVE REPORT

015		D : 40			
Office: PMW	Region:	Date of Co	nplaint:	Case Number:	
	CENTRAL	FEBRUARY		2024 00 9404	
Respondent:		Complainar	t:		
NEWNUM, MICH				EL WAGERING	
	VE. RD. SITE #74A		INVESTIGATI		
CITRA, FLORIDA	32113			L BOULEVARD, SUITE 165	
TEL# (816)874-92	201	FI. LAUDE	RDALE, FLOR	IDA 33309	
	e # / Type:	Profess	ion:	Report Date:	
	548 / 1012	CAGE CA		MARCH 5, 2024	
	Period of Investigation			Type of Report:	
	RY 16, 2024 - MARC			FINAL	
				M'S State of Florida Cardroom	
Employee License	Application dated Oc	tober 3, 2023, and	Waiver Reques	st Form dated February 12, 2024	
(EXHIBIT #1).	11		rianter rioquee	a contractor i obracity 12, 2024	
On October 3, 202	23. NEWNUM applied	for a Pari-Mutual C	ardroom Emplo	yee License (1012) to work as a	
"Cage Cashier" at	Ocala Bets. On his f	first application, he	answered "No"	to the question, "Have you ever	
been convicted o	f or had adjudication	withheld for any c	rime, or pled a	juilty or nolo contendere to any	
criminal charges a	gainst you?" (EXHIBIT	[#1)	, e. p.e. g	any of hole contendere to any	
, v					
Upon receipt of NI	EWNUM's FDLE Crim	inal History Report.	PMW Licensing	g sent him a Deficiency Letter on	
October 10, 2023.	requesting that he lis	t and provide court	dispositions for	r the following arrests: (EXHIBIT	
#4)	, requeeting that no no			the following areats: (EAHIDIT	
""					
Clay Count	ty, Missouri arrest(s)	2/20/2008			
-	ounty, Missouri arrest(s)==				
	bunty, missouri arrest(5) 01/25/2005			
On November 17	2023 NEWNUM subm	aitted an amondod o	polication diag	losing a misdemeanor conviction	
in 2008 for Posse	ssion of Paranhenalia	and a 2010 miedor	pplication, uisc	on for Receiving Stolen Property	
both of which occu	urred in the state of Mis	and a 2013, misuer		on for Receiving Stolen Property	
Related Case:	and in the state of Mis				
Investigations Spe	cialist II / Date	Ap	proved by Invest	stigator Supervisor / Date	
Vanta	Jandon		C Deul	3/1/2	
1s/ fance	5	/s/	1st the white		
Randa Samson / M		C.	Derek Washing	ton / March 14, 2024	
Chief of Investigat	ions / Date				

FLORIDA GAMING CONTROL COMMISSION HTTPS://FLGAMING.GOV/

CASE NUMBER: 2024 00 9404

CONTINUATION

CRIMINAL HISTORY

			Arrest 1			
	ate of Arrest: /14/2016	Arresting Age	e ncy: Police Department, M	10.		
		1	OFFENSE			
Ch	arge(s):		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	Receiving Stole	en Property	Misdemeanor	Guilty	Convicted	10/12/2018
2						
3						
4						

SENTENCE
180 days in Jail (Suspended Execution of Sentence), and 2 years' probation supervised.

Additional Information: Early Termination of probation 10/31/2019.

	Arrest 2			
Date of Arrest:	Arresting Agency:			
	OFFENSE			
Charge(s):	CLASSIFICATION	PLEA	DISPOSITION	
1				
2				
3				
4				

	SENTE	NCE		

Additional Information:		

CASE NUMBER: 2024 00 9404

CONTINUATION

CRIMINAL HISTORY

	A	rrest 3			
Date of Arrest:	Arresting Agency:				
	OF	FENSE			
Charge(s):	CL	ASSIFICATION	PLEA	DISPOSITION	
1					
2					
3					
4					

SENTENCE	

Additional Information:

			Arrest 4			
Date	e of Arrest:	Arresting Agency	:			
			OFFENSE			
Charg	je(s):		CLASSIFICATION	PLEA	DISPOSITION	
1						
2						
3						
4						

SENTENCE				

Additional Information:	

CASE NUMBER: 2024 00 9404

CONTINUATION

ADDITIONAL LICENSES

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

 License Type: 					
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdict	ion:	
				YES	NO
Has License ever	been suspended or	revoked?			
	ory information rece				
Additional Comm	ents:				

License Type:					
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdict	ion:	
				YES	NO
Has License ever	been suspended or	revoked?			
Was any derogate	bry information recei	ived?			
Additional Comme	ents:				

3. License Type:					
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdict	ion:	
				YES	NO
Has License ever	been suspended or	revoked?			
Was any derogate	ory information receiv	ved?			
Additional Comme	ents:				

4. License Type:					
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdict	ion:	
				YES	NO
Has License ever	been suspended or	revoked?			
Was any derogate	bry information receiv	ved?			
Additional Comme	ents:			11	

CONTINUATION

WAIVER INTERVIEW

		YES	NO
Was a Waiver Interview Conducted?		Х	
Date of Interview: February 15, 2024	Location of Intervi Ocala Bets	iew:	
1 0510aly 10, 2024	Otala Dels	YES	NO
Was the applicant cooperative?		Х	
Additional Comments:	du.		

SUMMARY OF INTERVIEW:

During the interview, **NEWNUM** explained that his conviction in 2016 for Receiving Stolen Property was due to an incident at Walmart. He was waiting near the exit doors with a 74" T.V. while his wife was paying for it. However, the security staff thought he was attempting to steal the T.V. without leaving the store, so they arrested him. **NEWNUM** stated that he was unaware of how the court system worked and wanted to put the matter behind him. Therefore, he accepted the plea deal and paid his fines, thinking that the incident was no longer on his record after completing his probation.

When asked why he did not mention all his offenses on his initial application, he said he misread the question and thought the case was no longer on his record.

NEWNUM also mentioned that he currently lives with his girlfriend in Citra, Florida and has been working in the glass business for over thirty (30) years. He is now looking for a less physically demanding job because he is "getting older and starting to feel it." **NEWNUM** also assured that he had not been in any legal trouble since the incident at Walmart in 2016.

CONCLUSION:

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

Case Status: Investigations case closed, and forwarded to Licensing.

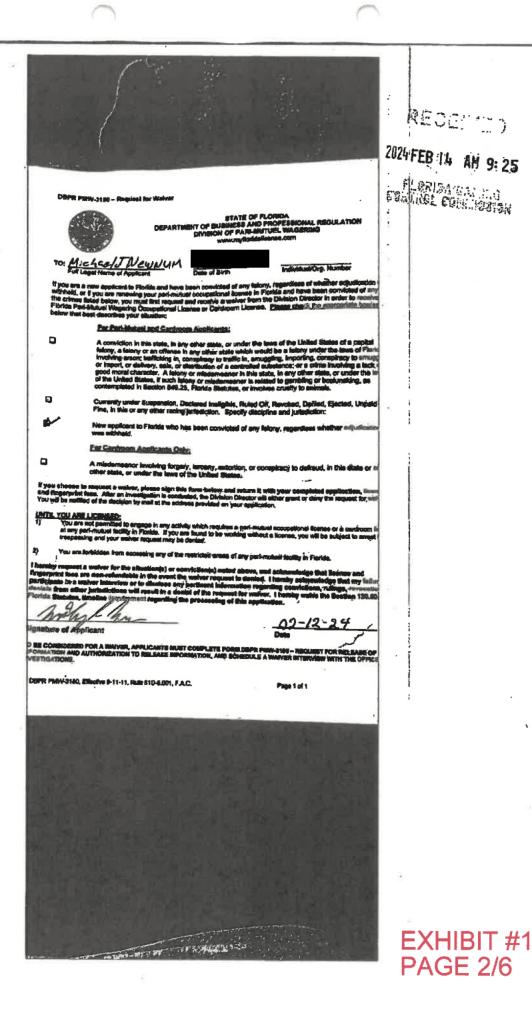
CASE NUMBER: 2024 00 9404

CONTINUATION

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	4. Supporting Docs: ARCI / CCIS / Def. Letter1-4





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2023 OCT -9 PM 2: 59

Department of Business and Professional Regulation/DA GAMING Division of Parl-Mutuel Wagering CONTROL COMMISSION DBPR PMW-3120 - Individual Occupational License Application

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

3

	Concerning and in the local distance of the	GRAPHIC INFO				
Social Security Number	Birth Date	(MM/DD/YYY	(Y) Geno		D. Femiale	2
Last Name	First	,	Middle	· · · · · · · · · · · · · · · · · · ·	Suffix	
Newnum		hael	T	·.	SUIUX	. x [±]
Have you used, been known as; or	called by another	tame (example - m	ialden name, p	seudonym, nic	kname) or alias	other than
the name used on the application?		No	8 D 9			
If yes, list the name or names used Race/Ethnicity (optional)						
D Black or African American White or Caucasian		or Pacific Islander nic/Latino	× •	 Native An Other 	erican or Alaska	in Native
Current Mailing Address	1.01		(optional)		and a state of an adding segments a log de	
18545 NW 4546 A	k Rd. Sitet	744				
Citra		Zip Code (+4 option ろみいろ		5 K		
	, ¹	Seconda	ary/Cell Phone	Number (optio	nal)	
Current Street Address 18545 NW 45th A	ve ed Site	#74A			· *	
City	State	Zip Code (+4 option	nal) Coun	try, if other the	n USA	
Type of Occupational License appl D Pari-Mutuel General Individual	ying for: □ Parl-Mutuél P		Facility with al	nere employed	and/or doing bu	siness:
C Cardroom Employee Occupation: Lage Cashi	er	÷ .	Oca	laBets	γ [®]	
Does your position require access		· · · · · · · · · · · · · · · · · · ·	Is this you license in	Florida?	lying for a racing	gaming
tre you a Supervisor, Manager, or		usiness with a pari-	mutuel permit?		Yes CI No CI Yes	No No
Do you own or lease animals inte Stable Name, Kennel Name Trainer Name (horse or grey	, or Business Name		5 🖸 Ye	es, complete th	e following:	-
TO BE COMPLETED BY ype of professional license (attach rofessional license):	DOCTORS, VE a copy of Florida	ERINARIANS, N Florida L	IURSES, PAI Icense Numbé	RAMEDICS	AND EMTS OF	NLY.
License Code 1012 Association Code 950	License # Date Received	R DIVISION USE C 767548 10/9/2123	File #		App # 738	13/24
License Fee // D - FP D Off Temp Walv	ate/ 7/ XU	ARCI	Enforce	Total Fe	Min	5
The second			enoió		YHIRIT	#1
DBPR PMW-3120, Effective Septembe	r 2020, Rùle 61D-5.0	01, F.A.C.		P	AGE 3	2 of 3

2023 OCT -9 PM 2: 59

. FLORIDA GAMING

No extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?		BACK	GROUND INFO	RMATION (A	TTACH ADDITIONAL	PAGES AS NECESSA	RY)
Luthority, in this state or pary other state, or under the laws of the United States? You are been concluded of or has digitalized on which the for any other, or pled guilty on the continue of any other application and your must like the defines in the other provided below. DATE OF DISPOSITION DATE OF COUNTY STATE OFFENSE MISDEMEANOR SENTENCE DISPOSITION DATE OF COUNTY STATE OFFENSE MISDEMEANOR SENTENCE DISPOSITION OFFENSE MISDEMEANOR SENTENCE DISPOSITION OFFENSE MISDEMEANOR SENTENCE MISDEMEANOR MISDEMEANOR SENTENCE MISDEMEANOR MISDEMEANOR SENTENCE MISDEMEANOR MISDEMEANOR MISDEMEANOR MISDEMEANOR MISDEMEANOR MISDEMEANOR MISDEMEANOR	U Yes	Have you eve	r been convicted	of, or had adjud	ication withheid for, a fel	ony or misdemeanor involv	ing forgery, larceny
Use Here you ever been convicted of or held seljudection withhet of rany ortma, or pled guilty or note controllers to any contrained how the submitted with this application and you must list the details in the chart provided below. DATE OF COUNTY STATE OFFENSE MISDIBHEANOR SENTENCE DISPOSITION Ist the state(s) or juncticition (state) or county? If yes, you must It was an unpuld fine? No Ist the state(s) or juncticition (state) or juncticition (state) or county? If yes, you must It was an unpuld fine? No If you answered yes to any of the questors above, provide details here: If you answered yes to any of the questors above, provide details here: Under the Federal Privacy Act, disclosure of Social Socurity numbers is wountary unless apecifically required by Federal State. In this instance, of Social Socurity numbers are used for its one state (state) or provide details here: If you answered yes to any of the questors above, provide details here: Under the Federal Privacy Act, disclosure of Social Socurity numbe	LIF NO .	authority in th	is state or any of	d, or ming talse r	eports to a government a	agency, racing or gaming c	ommission or
Definition of the second	D Yes	Have voir eve	been conditied	of or had adjudi	cation withhold for one of		
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DISPOSITION OR FELONY? DURING View Have you ever had a racing orgaming license mevicled or danied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensum revocation or daniel and explain why: Image: the state(s) or jurisdiction(s) of licensum revocation or daniel and explain why: View If yes, you must list the state(s) or jurisdiction(s) of licensum revocation or daniel and explain why: Image: the state(s) or jurisdiction(s) of licensum revocation or daniel and explain why: View If yes, you must list the state(s) or jurisdiction(s) of licensum and yee details the offense and discipline. If you answered yee to any of the questions above, provide details here: Index the Federal Pervecy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statet. State. In this instance, disclosure of Social Security numbers is voluntary unless are used to discuse Code. Social Security numbers are used to discuse Code. Social Security numbers are used to discuse Code. Social Security numbers are used to lice operational license applicants and icensees by a Tile IV-D othid support agenty to assure compliance with child support to discuse code as the code license and the security and the security of the question and discupation of a license and security in the purpose of accessing and revewing Field and the security of the	DA			the second design of the secon		MISDEMEANOR	SENTENCE
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Wo If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline. If you answered yes to any of the questions above, provide details here: Index the Federal Privacy Act, disclosure of Social Socurity numbers is woluntary unless specifically required by Federar Social Socurity numbers is mandatory pursuant to The 42, United States Code, Social Socurity numbers is mandatory pursuant to The 42, United States Code, Social rearing of applicants and licensees by a Thile IV-D othid subport agency to assure compliance with child support days applications and licensees by a Thile IV-D othid subport agency to assure compliance with child support days applications and rolls compositional licenses applications and to the Personal Responsibility and Werk Opportunity Reconciliation Act of 1986 (Wielfare Reform Act), 10 ubol. 193, Sec. 317. hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set firm fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accuracy and completenses of an individual antional criminal history records that may pertain to me. Ludkorstand that ari nable to obtain a national criminal history records that may pertain to me, ludkorstand bet an able to obtain a national criminal history records that may pertain to me. Indiversity from the Park 2, CFR, Soction (FS4), pursuent to THE 28, Code of Federal Regulation rolling any subsequent arises to following the obtain a prompt determination as to the validity of m hallenge before the Division makes a final determination about my status as a licenses and Professional Regulation final history records and any such report. I am aware that procedures for chailenging FDLE and the FBI for the purpose of accuracy and completenses of an ordinatin any such report. I am aware tha		list the state(s	or jurisdiction(s)	of licensure rev	ocation or denial and ex	plain why.	
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ach application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall a signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses inless otherwise required by law. Certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my gnature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing oplication and to the best of my knowledge, all information contained on this application is true and complete. I understand at falsification of any information on this application may result in administrative action; including fines up to \$1,000, denial aspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel agering and the laws of the State of Florida. Under penalty of penjury, I agree to inform the Division within 48 hours of being onvicted of or entring a lea of guilty if nois contendere to any disqualifying offense, regardless of adjudication. Signature of Applicant Date EXHIBIT #1	hereby ai f my finge ational cri lat may p CFR), Se roviding a formation et forth in hallenge l	thorize the De apprints to the F iminal history n entain to me dir ctions 16.30-10 any subsequer contained in a n F.S. 943.056 before the Divi	partment of Bus lorida Department eccrus that may eccly from the Fo 3.34. Lundersta at arrest notifica any such report. and Title 28, C slon makes a fir	iness and Profe nt of Law Enford pertain to me. I aderal Bureau of nd that my fing tions <u>and</u> that I am aware that CFR, Section 10 tal determinatio	ssional Regulation, Divi ement (FDLE) for the pu- understand that I am al f Investigation (FBI) purs erprints may be retained to challen i am entitled to challen 5.34. I may obtain a pu n about my status as a	sion of Pan-Mutuel Wager prose of accessing and re- ble to obtain a national crir suant to Title 28, Code of F ed at FDLE and the FBI nge the accuracy and co ging FDLE or FBI criminal month determination as to	ing, to submit a se viewing Florida and ninal history record ederal Regulations for the purpose of mpleteness of an history records and the weights of an
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Department of Business and Professional Regulation Division of Pari-Mutuel Wagering

Licensing Administrator Review -- PMW Occupational License

	RE: NEWNUM, MICHAEL J- 13767548		Case No: 2024 00 9404		
(APP	LICANT'S NAME-LICE	ENSE #)			
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Tori Lanier Application		0- Ocala Bets cility (d/b/a name)		Cashier	
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tance; animal cruel	ty, illegal gambling, or has had a p	ari-mutuel license revoked by this state or Licensing Administra	-	liction for an offense related to	pari-mutuel wagering.
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id the applicat	ion accurately reflect the C		T	No	
Felony: 1 C	ount(s)				-
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IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI AT INDEPENDENCE

STATE OF MISSOURI,		CASE NO.	1616-CR04879-01
Pla	aintiff,		CILIED DEVISION 17
V8.		DIVISION 17	
MICHAEL J. NEWNUM,		DIVISION	OCT 3 1 2019
De	fendant.	CIRCUIT	DUN BLOGMER, MO
ORDER C	OF DISCHARGE F	BY	ALARMAN TIME TAIT

Now, on this <u>3</u>/<u>e</u> day of October, 2019, it appearing from the record in this cause that on October 12, 2018, the defendant was found and adjudged guilty of Receiving Stolen Property. and that the Court thereafter sentenced the defendant and committed her to the custody of the Missouri Division of Adult Institutions, but suspended the execution of such sentence and placed the defendant on probation; and it now being shown to the Court that the defendant has performed the term of probation in a satisfactory manner;

IT IS THEREFORE ORDERED that defendant be and is hereby discharged from probation and from the jurisdiction of this Court.

10/31/19 Date

CORY LEE ATKINS, Judge

I hereby certify that a copy of the foregoing was duly emsiled this ______ day of October, 2019, to

Tim Yasso, APA (jyasso@jecksongov.org) tmaxweli@midwestadp.net Criminal Records

Karen Lee Rigney, JAA / krigney@courts mo gov



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VS.)	Electronically Filed - Independence Criminal/Traffic - October 11, 2018 - 09:03 AM
MICHAEL J. NEWNUM 1310 S. Farview) CASE NO. 1616-CR04879	r 11, 2
Independence, MO - 64056) DIVISION 17	018 - (
DOB: Race/Sex: W/M)	09:03
S.S.N.:	NDANT.)	AM

AMENDED INFORMATION

In the Circuit Court of Jackson County, Missouri, at Independence, Term, 2018. In Division Number _____ thereof, designated by the rules of said Court as Criminal Division____.

Count I. Receiving Stolen Property (570.080-003Y200928990)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 570.080, RSMo, committed the class A misdemeanor of receiving stolen property, punishable upon conviction under Sections 558.011 and 560.016, RSMo, in that on or about October 14, 2016, in the county of Jackson, State of Missouri, the defendant, with the purpose to deprive the owner of Vizio television, retained such property, knowing or believing that it had been stolen.

The range of punishment for a class A misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed one (1) year; by a fine not to exceed one thousand dollars (\$1,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime up to a maximum of twenty thousand dollars (\$20,000)

EXHIBIT #2 PAGE 5/10



JEAN PETERS BAKER Prosecuting Attorney Jackson County, Missouri by.

/s/ J. Timothy Yasso J. Timothy Yasso (#59342) Assistant Prosecuting Attorney 321 W. Lexington Independence, MO 64050 (816) 881-4588 jyasso@jacksongov.org

- 1. David A. Akers, Wal-Mart. 4000 S. Bolger, Independence, MO 64055 2. PO Jeffery Edwards, 223 N. Memorial Drive, Independence, MO 64050
- 3. DET Steven Schmidli, 223 N. Memorial Drive, Independence, MO 64050
- Wal-Mart, 4000 S. Bolger, Independence, MO 64055 4.









IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI AT INDEPENDENCE

STATE OF MISSOURI	Plaintiff)))))	Division No. 17
vs.)	Case No. 1616-CR04879-01
Michael J. Newnum	Defendant.)))	

ORDER

Upon review of the State of Missouri's Motion for Leave to File Amended Information.

the Court hereby grants the State leave to file an amended information.

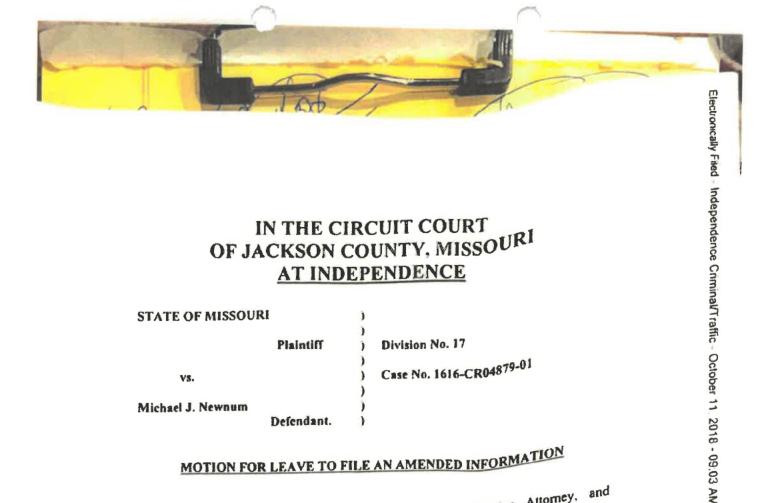
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DATE

Spip Junte JUDGE







IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI AT INDEPENDENCE

)

Plaintiff

Defendant.

STATE OF MISSOURI

VS. Michael J. Newnum **Division No. 17**

Case No. 1616-CR04879-01

MOTION FOR LEAVE TO FILE AN AMENDED INFORMATION

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COMES NOW J. Timothy Yasso, Assistant Prosecuting Attorney, and

respectfully requests leave of Court to file the attached Amended Information.

Respectfully submitted, JEAN PETERS BAKER Prosecuting Attorney Jackson County, Missourt

by, . /s/ J. Timothy Yasso J. Timothy Yasso (#59342) Assistant Prosecuting Attorney 321 W. Lexington Independence, Missouri 64050 (816) 881-4588 jyasso@jacksongov.org



CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was transmitted electronically through the Missouri e-Filing System on 10/11/2018 to all attorneys of record.

/s/ J. Timothy Yasso J Timothy Yasso (#59342)



IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

STATE OF MISSOURI,

PLAINTIFF,

VS.

MICHAEL J. NEWNUM

CASE NO. 1616-CR04879-01 **DIVISION 33**

DEFENDANT.

STATE'S ANSWER TO DEFENDANT'S REQUEST FOR DISCLOSURE PURSUANT TO RULES 25.03(b) AND 25.07

ronically Filed - Independence Criminal/Traffic - July 10, 2018 - 11:37 AM

COMES NOW, the State of Missouri, by and through Assistant Prosecuting Attorney J. Timothy Yasso, ursuant to Rules 25,03(b) and 25.07 and or through Assistant Prosecuting Attorney Discovery, makes the who, pursuant to Rules 25.03(b) and 25.07, and as answer to defendant's Request for Discovery, makes the following disclosure:

1. The Office of the Jackson County Prosecuting Attorney has an "open file" policy. Unless otherwise o by the parties or ordered by the Court of a start of the factson County agreed to by the parties or ordered by the Court, all material and information in the possession of the Jackson County Prosecuting Attorney's Office that is an entry of the possession of the possession of the previously Prosecuting Attorney's Office that is properly discoverable under Rule 25.03(b) and which has not been previously disclosed to counsel for the defendent more than the property discoverable under Rule 25.03(b) and which has not been previously disclosed to counsel for the defendent more than the property discoverable under Rule 25.03(b) and which has not been previously disclosed to counsel for the defendent more than the property discoverable under Rule 25.03(b) and which has not been previously disclosed to counsel for the defendent more than the property discoverable under Rule 25.03(b) and which has not been previously disclosed to counsel for the defendent more than the property discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable under Rule 25.03(b) and which has not been previously discoverable u disclosed to counsel for the defendant, may be inspected, obtained, tested, copied, or photographed by counsel for the defendant within 10 days of the filling of the filli the defendant within 10 days of the filing of a written request for discovery by the defendant, during regular business hours (8:30 a.m. to \$:00 n.m.) and there is a written request for discovery by the defendant, during regular business in the second structure of the s hours (\$:30 a.m. to 5:00 p.m.) and thereafter upon request at the Jackson County Prosecuting Attorney's Office, 415 East 12th Stream 11th Elsen Weinereafter upon request at the Jackson County Prosecuting Attorney's 64050. 415 East 12th Street, 11th Floor, Kansas City, Missouri 64106 or 308 W. Kansas, Independence, Missouri 64050, depending on the venue of the case.

2. The cost of duplicating discovery materials will be assessed at a charge of five dollars (\$5.00) per disc for non-indigent defendants. Defendants represented by the Public Defender will need to provide replacement discs.

> /s/ J. Timothy Yasso J. Timothy Yasso (#59342) Assistant Prosecuting Attorney 321 W. Lexington Independence, MO 64050 (816) 881-4588 jyasso@jacksongov.org

I hereby certify that the foregoing document was transmitted electronically through the Missouri e-Filing System on 7/10/2018 to all attorneys of record.

Is/ J. Timothy Yasso J. Timothy Yasso (#59342) Assistant Prosecuting Attorney

EXHIBIT #2

PAGE 9/10



IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

AT INDEPENDENCE

STATE OF MISSOURI.

PLAINTIFF,

VE.

MICHAEL J. NEWNUM

CASE NO. 1616-CR04879-01 **DIVISION 33**

DEFENDANT.)

COMES NOW, The State of Missouri, by and through J. Timothy Yasso, who, pursuant to Rule 25.05, requests the dant disclose to the State all of the following material and information or control of defendant defendant disclose to the State all of the following material and information within the possession or control of defendant and his counsel:

1) Any reports or statements of experts made in connection with the above-captioned case, including results of calor mental examinations and of scientific tests experiments. physical or mental examinations and of scientific tests, experiments, or comparisons, which the defense intends to introduce into evidence at a hearing or trial;

2) The names and last known addresses of persons, other than the defendant, whom the defendant intends to call as sses at any hearing or trial, together with their million that the defendant, whom the internoranda reporting or witnesses at any hearing or trial, together with their written or recorded statements, and existing memoranda reporting or summarizing part or all of their oral statements. summarizing part or all of their oral statements;

3) Those parts of any books, papers, documents, photographs, video, electronic communications, electronic data, or is, except such as contain statements of the Defendence at objects, except such as contain statements of the Defendant, which the defendant intends to introduce into evidence at hearing or trial: hearing or trial;

4) Any intent by the defendant to rely on the defense of mental disease or defect excluding responsibility, or to claim that defendant has a mental disease or defect negating a culpable mental state;

5) In the above-captioned cause the State charges the defendant committed the crime(s) set forth in the Information or Indictment herein and states that the said crime(s) occurred on:

Count 1: October 14, 2016 at 4000 S. Bolger, Independence, MO

and requests that, if the defendant intends to rely on defense of alibi, the defendant disclose such intent and set forth therewith specific information as to the place at which the defendant claims to have been at the time of the alleged offense(s), and, as particularly as is known, the names and addresses of the witnesses by whom the defendant proposes to establish such alibi.

WHEREFORE, the State of Missouri requests the Defendant disclose the foregoing requested information to the State pursuant to Rule 25.05.

Is/ J. Timothy Yasso J. Timothy Yasso (#59342) Assistant Prosecuting Attorney 321 W. Lexington Independence, MO 64050 (816) 881-4588 jyasso@jacksongov.org

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was transmitted electronically through the Missouri e-Filing System on

/s/ J. Timothy Yasso J. Timothy Yasso (#59342) TT

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EXHIBIT #2 PAGE 10/10

State of Florida

Partial Department of Business 8 Professional Regulation

Department of Business and Professional Regulation Chronology Report

Case #:	2024009404		Incident da	ate: 10/23/2023	Status:	106 - Sent to	Directors office	
Lic Type:	1012		Disposition	n:				
Case Type:	Complaint							
Responsible:	Itrombetta - TROM	BETTA, LO	UIS					
Complainant:	DIVISION OF P	ARI-MUTUE	EL WAGER	ING				
	1400 W COMME	ERCIAL BL	VD, STE 16	5, FORT LAUDER	DALE, FL 33309			
Respondent:	NEWNUM, MICI	HAEL J						
	18545 NW 45TH	AVE ROA	D SITE 74A	, CITRA, FL 32113	3			
Summary:	950 - Ocala Bree	eders' Sales	5					
Chronology:	Effective Date	Туре	Lic Type	Code	Description		Responsible Party	Respondent
	02/15/2024	A	79	440	Incoming Corresp	ondence	cstubbs1	NEWNUM, MICHAEL J
	03/05/2024	А	79	CL62	Review File			NEWNUM, MICHAEL J
	02/27/2024	A	79	430	In Person		rsamson	NEWNUM, MICHAEL J
	02/27/2024	Α	10	50	Interview Respon	dent	rsamson	NEWNUM,
								MICHAEL J
	02/26/2024	A	79	435	Telephone		rsamson	NEWNUM, MICHAEL J

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nfa5 - Chronology Report

Page 1 of 3

Protein Department of Business & Protessional Regulation

State of Florida Department of Business and Professional Regulation Chronology Report

Chronology:	Effective Date	Туре	Lic Type	Code	Description	Responsible Party	Respondent
	02/21/2024	А	79	CL62	Review File	rsamson	NEWNUM, MICHAEL J
	02/19/2024	A	7 9	CL62	Review File	rsamson	NEWNUM, MICHAEL J
	02/19/2024	А	79	435	Telephone	rsamson	NEWNUM, MICHAEL J
	02/16/2024	A	10	15	Assigned to Investigator	rsamson	NEWNUM, MICHAEL J
	03/18/2024	R		bjones	JONES, BRADFORD	bjones	
	03/19/2024	R		ddonaldson	DONALDSON, DAVID	cstubbs1	
	03/20/2024	R		Itrombetta	TROMBETTA, LOUIS	ddonaldson	
	02/16/2024	R		rsamson	SAMSON, RANDA	cstubbs1	
	02/15/2024	S	1012	10	Initial Review	cstubbs1	
	03/19/2024	S	1012	104	Sent to Licensing Section	cstubbs1	
	02/16/2024	S	1012	20	Under Investigation	cstubbs1	
	03/20/2024	S	1012	106	Sent to Directors office	ddonaldson	
	03/18/2024	S	1012	90	Closed	cstubbs1	
	03/18/2024	S	1012	165	Supervisor Review	bjones	
Allegation:	Code	Description	n				

Waiver of Crim. Conv. or Other Offenses

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Page 2 of 3



Code

WAVR

State of Florida Department of Business and Professional Regulation Chronology Report

Violation:

Description

61D-5.006

Respondent

NEWNUM, MICHAEL J

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Page 3 of 3

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Summary	950 - Oca	la Breed	ers' Sales				Attachments		History
Updated	03/19/202	24 14:17:1	17	By cstub	bs1		Work Notes	Pr	int Report

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Middle Name:			
Last Name: Newnum			
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JULIE I. BROWN, COMMISSIONER CHUCK DRAGO, COMMISSIONER JOHN D'AQUILA, COMMISSIONER

October 10, 2023

Mr. Michael J Newnum 18545 Northwest 45th Ave Road Site 74A Citra, Florida 32113

RE: Application No. 73899, Entity 13767548 1012 - Cardroom Employee Occupational

Dear Mr. Newnum:

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

Application is incomplete: Please correct the highlighted section(s). It appears that you
have made errors and/or omissions on page 3 of the application. If you have ever been
convicted of or had adjudication withheld for any crime or pled guilty or nolo contendere
to any criminal charges, you must list the offenses in the Background Information section
and provide court disposition records. Please initial and date any changes made to your
application.

You must list the information on your application and provide the court disposition records for the following charges:

- Clay County, MO 02/10/2008
- Jackson County, MO 10/14/2016

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 02/07/2024, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming

> OFFICE OF OPERATIONS 2601 BLAIR STONE ROAD TALLAHASSEE, FLORIDA 32399



Control Commission Rule. Please note that your Temporary License will expire on: 01/03/2024.

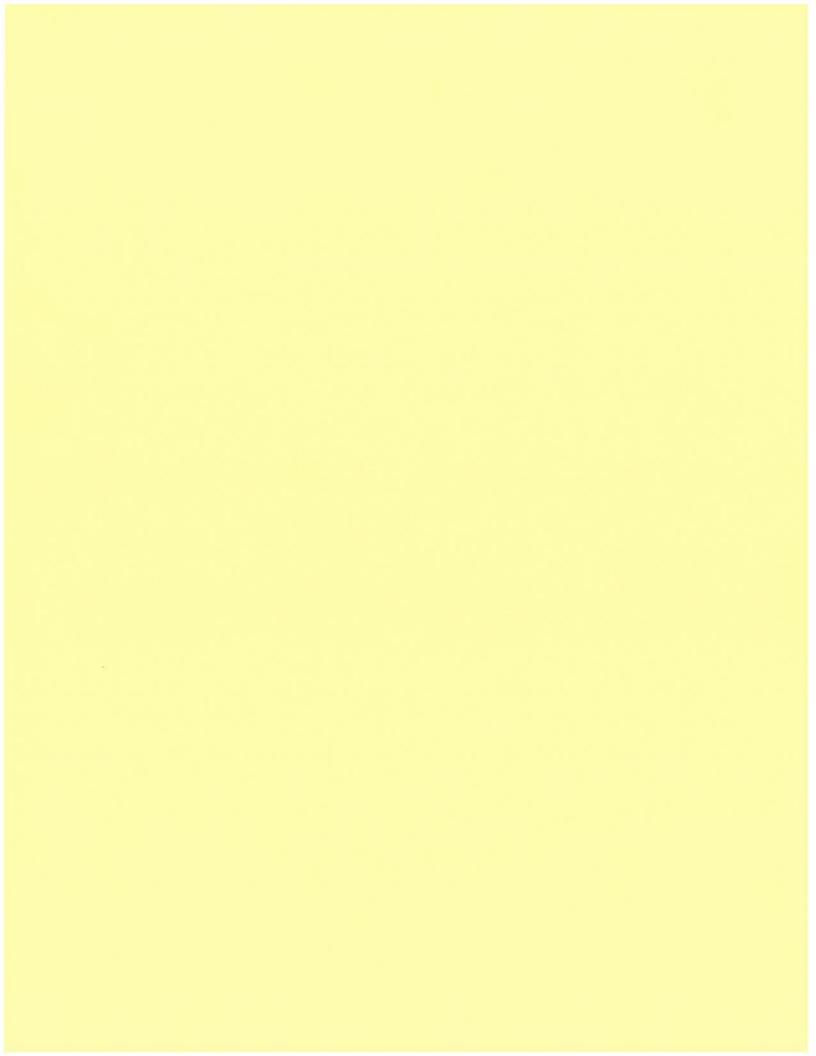
Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. Return the missing document and/or information to the address provided above, attention Office of Operations. If you have any questions, please call 850.488.3211.

Additionally, if needed, any individual or business applicant may request a waiver of disqualifying factors in an application that would otherwise be grounds for denial. DBPR PMW 3180 - Request for Waiver and DBPR PMW-3195 - Request for Release of Information and Authorization to Release Information (forms enclosed). The Division will process a request for waiver upon receipt of a complete application.

Thank you,

TL Operations Analyst II





MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Justin Hundersmarck, Senior Attorney
Re:	Christie L. Smith FGCC; Case No. 2024- 032775
Date:	February 3, 2025

Executive Summary

Christie L. Smith ("Petitioner") submitted an application for a pari-mutuel professional individual occupational license (the "Application"). Following review of the Application submitted by Petitioner, the Commission issued a Letter of License Denial, notifying Petitioner of its intent to deny the Application based on Petitioner's three felony convictions. Petitioner requested an informal hearing, which was held on December 17, 2024. On January 31, 2025, the informal Hearing Officer recommended approving Petitioner's Application.

Pertinent Facts

On October 4, 2024, the Commission issued a Letter of License Denial, notifying Petitioner of its intent to deny the Application based on Petitioner's three felony convictions. Specifically, Petitioner was convicted of:

- 1. Driving Under the Influence Habitual
- 2. Driving Under the Influence Habitual
- 3. Operating While Intoxicated/Impaired/Controlled Substances

On October 29, 2024, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes. At the informal hearing held on December 17, 2024, Petitioner testified to the circumstances that led to their convictions and provided a character witness. On January 31, 2025, the Hearing Officer issued a recommended order recommending the approval of Petitioner's Application.

Relevant Law

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

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

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

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

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

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

	FILED
FLORIDA GA	AMING CONTROL COMMISSION
Date: File Number:	1/31/2025
BY	MELBA L. APELLANIZ RK OF THE COMMISSION

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

CHRISTIE L. SMITH

FGCC Case No.: 2024-032775

Petitioner,

v.

FLORIDA GAMING CONTROL COMMISSION DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

_____/

HEARING OFFICER'S RECOMMENDED ORDER

THIS MATTER came before Renee Harkins, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on December 17, 2024, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of Christie L. Smith's ("Petitioner's") petition for a hearing in response to the Commission's Letter of License Denial filed in FGCC Case Number 2024-032775. The Commission was represented by Emily Alvarado, Chief Attorney. Petitioner appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about January 12, 2024, the Commission received an application from Petitioner for a Pari-Mutuel Wagering Professional Occupational License. On the application, she answered "yes" 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?" Petitioner disclosed a 2019 felony conviction for driving under the influence ("DUI") in Oakland County, Michigan.

2. On or about January 31, 2024, the Commission sent Petitioner a deficiency letter requesting that she provide court disposition records regarding additional arrests reported in her criminal history.

3. On or about April 29, 2024, Petitioner amended her original application to include the following offenses: a felony conviction for DUI in San Diego, California, on February 8, 2008; another felony conviction for DUI in Sandiego, California, on December 27, 2008; and a felony offense for DUI in Wayne County, Michigan on January 18, 2019. She also listed two misdemeanor offenses for DUI in San Diego, California, and two unknown offenses, stating, "[N]o record."

4. Petitioner supplied documentation from both the Orange County and San Diego County, California, Superior Courts stating that no records were available for arrests in 1984 and 1995, respectively. Petitioner's criminal history revealed a string of misdemeanor and felony alcohol related arrests in 2005, 2006, 2008, and 2009 in California, for which Petitioner was sentenced to state prison.

5. On or about June 6, 2024, the Commission received a waiver request from Petitioner.

6. On or about October 4, 2024, the Commission filed a Letter of License Denial, seeking to deny Petitioner's license application based upon her disqualifying criminal convictions.

7. On or about October 29, 2024, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

The December 10, 2024, Informal Hearing

8. A hearing pursuant to section 120.57(2), Florida Statutes, was held December 17, 2024, during which the Commission presented the issues raised in the Letter of License Denial. The Hearing Officer granted the Commission's motion to have the Letter of License Denial, and the investigative packet admitted on the record.

9. The investigative packet contains a letter of license denial from the Florida Division of Pari-Mutuel Wagering ("Division") filed on February 7, 2024, informing Petitioner of the Division's decision to deny her application for a Pari-Mutuel Wagering Professional Occupational License, "in accordance with the provisions of Chapter 550, Florida Statutes, and the rules promulgated thereto."

10. Additionally, the letter of license denial provides that Petitioner's felony conviction "is a disqualifying offense under Section 550.105(5), Florida Statutes. Your request for waiver has been denied based on your failure to meet the requirements of Section 550.105(5)(c), Florida Statutes."

11. Petitioner submitted five letters of recommendation before the hearing that were made part of the record. The letters included various statements supporting Petitioner's good character, saying that she is now sober and helps others with their sobriety. The letters also remarked that Petitioner has years of experience in the horse racing industry and mentioned Petitioner's mother owned horses and participated in horse racing. The letters stated that Petitioner had overcome her past, was sober for several years now, and would make an excellent addition to the sport. The statements were from friends and colleagues, some of who are affiliated with horse racing.

12. Petitioner testified that she had always loved horses, and that she participated in horse racing during her youth. Petitioner stated that she wanted to participate in horse racing in Florida by getting to know people in the industry. Petitioner stated that she believed horse racing is declining as a sport in California but believed that Florida horse racing seemed to be flourishing.

 Petitioner stated that there were no records available for some of her arrests from the 1980's and 1990's. She expressed remorse for the arrests in her past.

14. Petitioner stated that there was an eleven-year gap between her 2008 DUI and her 2019 DUI. Petitioner was upset that she had re-offended in 1019, but she fulfilled all the obligations to the court for the arrest and had gotten clean. Petitioner's career is in accounting, and her employer supported her during the time that she was required to perform 'work release,' where she worked during the day and returned to jail at night. Her 2019 arrest was a turning point for her sobriety, she stated.

15. Petitioner stated that she is no longer the person she was, and she regrets the mistakes she made in the past; she is sober for several years now, has completed several programs, attends church regularly, and helps others in their sobriety. Petitioner stated she would be willing to accept a provisional license and feels she would be an asset to the industry.

16. Petitioner produced Mike Smith, Hall of Fame Jockey who appeared telephonically from California. Mr. Smith stated that he knew Petitioner's mother, who had been in the horse racing business for a long time. Mr. Smith testified that he and Petitioner had been supportive friends to one another for several years. He stated Petitioner had gotten better and was doing well, and ready to participate in Florida horse racing. Mr. Smith stated that Petitioner's mother had been a great supporter of the sport, and he felt Petitioner would be, also.

17. Petitioner expressed regret and remorse for her mistakes and expressed that she would like to participate in Florida horse racing. She has no additional criminal charges since 2019 and has begun initiating relationships within the industry, who have come to know her and have expressed support for her entry into the sport by submitting letters of reference.

FINDINGS OF FACT

18. The Commission's denial of Petitioner's application for licensure is based upon the following convictions:

- a. 04/04/08 Driving Under the Influence Habitual (F) Guilty San Diego
 County, California (Case No. SCN241821)
- b. 02/11/2009 Driving Under the Influence Habitual (F) Guilty San Diego County, California (Case No. SCN255996)
- c. 02/19/2019 Operating While Intoxicated/Impaired/Controlled Substance 3rd
 Offense (F) Wayne County, Michigan (Case No. 19-001448-01FH)

19. Petitioner did not disclose her complete criminal history on her initial application for licensure and did not provide the Commission with the requisite court disposition records for disclosed convictions, as required by the form, but gave a credible explanation for her efforts to comply with the application process.

20. Petitioner expressed remorse and regret for her actions. Petitioner demonstrated with letters of support and a credible witness that they believe her to have good moral character and fitness to be an asset to the sport of horse racing.

CONCLUSIONS OF LAW

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

22. The Commission has jurisdiction over this matter pursuant to chapters 120 and 550,

Florida Statutes.

23. The Commission is the state agency charged with regulating pari-mutuel wagering

operations pursuant to chapter 550, Florida Statutes.

24. Section 550.105(5)(b), Florida Statutes, states in pertinent part:

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

25. Pursuant to section 550.105(5)(d), Florida Statutes, 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.

26. Pursuant to section 550.105(5)(b), Florida Statutes, Petitioner's 2008, 2009, and

2019 alcohol related felony convictions are a disqualifying offense.

27. 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."

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

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

30. In the present case, Petitioner has three disqualifying felony criminal convictions entered in 2008, 2009, and 2019.

31. Petitioner has demonstrated good moral character or rehabilitation as set out in section 550.105(5)(c), Florida Statutes by submitting five letters of support and witness testimony from a credible industry professional that she should be granted a license to participate in horse racing.

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

RECOMMENDED ORDER

WHEREFORE, based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Florida Gaming Control Commission enter a Final Order GRANTING Petitioner's application for a Pari-Mutuel Wagering Professional Occupational License.

This Recommended Order in FGCC Case Number 2023-064914 is submitted this 31st day of January, 2025.

Rence Harkins

Hearing Officer Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 31st day of January 2025 that a true copy of the foregoing "Hearing

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

Christie L. Smith Petitioner 1817 Oak Trail West, #102 Clearwater, Florida 33764 Christilsmith233@hotmail.com

Emily Alvarado Counsel for Respondent Emily.Alvarado@flgaming.gov

Rince Harking

Renee Harkins Hearing Officer Florida Gaming Control Commission

SMITH, CHRISTIE L Case No. 2024-032775 Informal Hearing Packet

Documents Included in Case File

Exhibit 1	Notice of Hearing
Exhibit 2	Election of Rights
Exhibit 3	Letter of License Denial
Exhibit 4	Report of Investigation
Exhibit 5	. Petitioner's Exhibits



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

November 26, 2024

Christie L. Smith 1817 Oak Trail West, #102 Clearwater, Florida 33764 Christilsmith233@hotmail.com

> RE: FGCC v. Christie L. Smith Case No.: 2024-032775

Enclosed please find a Notice of Hearing for the informal hearing that has been scheduled in the above-referenced case. **Your hearing is scheduled to be heard on Tuesday, December 17, 2024, between 9:30 AM and 2:00 PM (Eastern Time).** Please read the Notice of Hearing for more details about the date, time, location and instructions for the hearing. A copy of the Commission's case file has been mailed to your address of record. Please ensure that you <u>have this case file available during the hearing</u>, as you may need to refer to it throughout the hearing.

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

<u>Please note:</u> If you choose not to attend the hearing in person or by video conference, we will be conducting the hearing telephonically; you will be contacted **between 9:30 AM and 2:00 PM (EST) at the following number: (248) 242-1223.** Please contact me as soon as possible to notify me of a correct number at which to reach you. Failure to answer the telephone, promptly return a missed call, or hold an open line <u>will result</u> in the hearing proceeding without you.

Below please find information about the informal hearing process:

- 1. The Informal Hearing is held on the date and time noted in the Notice of Hearing.
- 2. A Final Order will be issued within approximately 90 days after the date of the hearing. The Final Order is the **final** agency action and will describe the resolution of your case.

Should you have any questions or need any assistance, please feel free to contact me via telephone or email at 850-794-8072 or <u>Ebonie.Lanier@flgaming.gov.</u>

Sincerely,

Ist Elionie Lanier

Ebonie Lanier Administrative Assistant III (850) 794-8072

Enclosures: Notice of Hearing and Case File

OFFICE OF THE GENERAL COUNSEL 4070 ESPLANADE WAY, SUITE 250 TALLAHASSEE, FLORIDA 32399 <u>FLGAMING.GOV</u>

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

CHRISTIE L. SMITH,

Petitioner,

v.

FGCC Case No..: 2024-032775

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

Respondent.

_____/

NOTICE OF TELEPHONIC HEARING

TO: Christie L. Smith 1817 Oak Trail West, #102 Clearwater, Florida 33764 Christilsmith233@hotmail.com

YOU ARE HEREBY NOTIFIED that the Commission's designated Hearing Officer will conduct a hearing in this matter, pursuant to Section 120.57(2), Florida Statutes. If you wish to present oral or written evidence, you must attend the hearing. The hearing is scheduled for **Tuesday**, **December 17, 2024 The Hearing Officer will call you at (248) 242-1223 sometime between 9:30 AM** – **2:00 PM (EST)**. Please be available to take the Hearing Officer's call. Failure to answer the telephone, promptly return a voicemail, or hold an open line may result in the hearing proceeding without you.

You may elect to attend the hearing in person or by video conference. If you wish to do so, you must contact the Commission by email at <u>Ebonie.Lanier@flgaming.gov</u> or telephone at (850) 794-8072, at least seven (7) days prior to your hearing date. If you do not elect to attend by video conference or in person, the hearing will automatically be held by telephone only. You may also provide written or oral evidence or have witnesses testify on your behalf. Any evidence that you wish to present to the Hearing Officer and any names and contact information of witnesses you plan to call FGCC vs. SMITH, CHRISTIE L FGCC Case No. 2024-032775

at the hearing should be emailed to <u>Renee.Harkins@flgaming.gov</u>, and <u>Emily.Alvarado@flgaming.gov</u> at least 7 days before the date of the hearing. If you do not have an email address, please contact me for an alternative method to provide the requested information.

If you cannot attend the hearing and wish to request a continuance for good cause, you must notify the Hearing Officer at <u>Renee.Harkins@flgaming.gov</u> and Opposing Counsel at <u>Emily.Alvarado@flgaming.gov</u> at least five (5) days prior to your hearing date. Continuance requests made within five (5) days of the hearing can only be granted for emergencies.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: the above-named parties via certified mail, on this 26th day of November, 2024.

By: <u>/s/ Ebonie Lanier</u>

Ebonie Lanier Administrative Assistant III Florida Gaming Control Commission Office of the General Counsel Division of Pari-Mutuel Wagering 4070 Esplanade Way, Suite 250 Tallahassee, Florida 32399 Telephone: (850) 794-8072 Facsimile: (850) 536-8709 Ebonie.Lanier@flgaming.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Ebonie Lanier at (850) 794-8072. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.

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FLORIDA GA	MING CONTROL COMMISSI
Date: File Number:	10/29/2024
	MELBA L. APELLANIZ K OF THE COMMISSION

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

FGCC v. SMITH, CHRISTIE L

EXHIBIT

CASE NO.: 2024-032775

ELECTION OF RIGHTS

Please read the Letter of License Denial before choosing one of the three options. The Election of Rights is a legally binding document. Consult an attorney if you do not understand your options.

You can only select ONE of the options numbered one (1), two (2), and three (3) on the Election of Rights form. You must sign the form.

A completed Election of Rights <u>must be returned to the Clerk of the Commission within 21 days, by 5:00</u> p.m., Eastern Time, of the day you receive the attached Letter of License Denial.

If your Election of Rights form or request for hearing is not filed with the Clerk of the Commission within 21 days of the day you received the Letter of License Denial, you will have waived your right to contest the proposed agency action and a Final Order will be issued imposing the proposed agency action set forth in the Letter of License Denial.

Please use this form unless you, your attorney, or your representative prefer to reply according to chapter 120, Florida Statutes, and chapter 28.106 of the Florida Administrative Code.

Please return your Election of Rights form to this address:

Florida Gaming Control Commission Attention: Clerk of the Commission 4070 Esplanade Way, Suite 250, Tallahassee, FL 32399 Telephone: (850) 794-8067 Fax: (850) 536-8709 Email: clerk@flgaming.gov

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option One (1) I do not dispute the allegations of material fact in the Letter of License Denial and wish to be heard at an informal proceeding pursuant to section 120.57(2), Florida Statutes, where I may submit testimony and written evidence to the Commission to show that the proposed agency action is too severe or that the sanction should be reduced.

Option Two (2) I do dispute the allegations of material fact in the Letter of License Denial and I request a formal hearing pursuant to Section 120.57(1) before an Administrative Law Judge of the Division of Administrative Hearings ("DOAH"). I specifically dispute the following facts in the Letter of License Denial (attach extra pages or write on the back if needed):

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

FORM TO P-

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In addition to the above election for formal hearing, check the box below if you wish to enter into settlement negotiations and waive the 15-day requirement for this matter to be referred to DOAH:

Section 120.569(2)(a), Florida Statutes, requires the Commission to send this case to DOAH for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement.

Option Three (3) I do not dispute the allegations of material fact in the Letter of License Denial and waive my right to object and to have a hearing. I understand that by giving up the right to object and have a hearing, this letter will act as the Final Order. Pursuant to section 120.68, Florida Statutes, any party adversely affected by this Final Order has the right to seek its judicial review by the filing of an original Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 (email: clerk@flgaming.gov), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the is filed with the Clerk.

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

hristie Smith ATTORNEY OR QUALIFIED REPRESENTATIVE 1817 Ogk Trail W#102 Street Address Street Address (where service shall be made) Clearwater, F1 33764 City State Zip City State Zip 248-242-1223 Telephone Number Facsimile Number (if any) **Telephone Number** Facsimile Number (if any) Christilsmith 233@hotmail.com E-mail Christie &, Smith 10-21-24 E-mail

YOU MUST LET THE COMMISSION KNOW IF YOUR E-MAIL OR MAILING ADDRESS CHANGES

Moving Through Network In Transit to Next Facility, Arriving Late

October 27, 2024

Departed USPS Regional Facility TALLAHASSEE FL DISTRIBUTION CENTER October 26, 2024, 9:32 pm

Arrived at USPS Regional Destination Facility TALLAHASSEE FL DISTRIBUTION CENTER October 26, 2024, 12:04 pm

Arrived at USPS Regional Destination Facility PENSACOLA FL PROCESSING CENTER October 25, 2024, 10:24 pm

Processing Exception, Regional Weather Delay October 22, 2024, 7:02 pm

Departed USPS Facility

TAMPA, FL 33630 October 21, 2024, 9:37 pm

Arrived at USPS Origin Facility

TAMPA, FL 33630 October 21, 2024, 8:21 pm Departed USPS Regional Facility TALLAHASSEE FL DISTRIBUTION CENTER October 26, 2024, 9:32 pm

Arrived at USPS Regional Destination Facility TALLAHASSEE FL DISTRIBUTION CENTER October 26, 2024, 12:04 pm

Arrived at USPS Regional Destination Facility PENSACOLA FL PROCESSING CENTER October 25, 2024, 10:24 pm

Processing Exception, Regional Weather Delay

October 22, 2024, 7:02 pm

Departed USPS Facility

TAMPA, FL 33630 October 21, 2024, 9:37 pm

Arrived at USPS Origin Facility

TAMPA, FL 33630 October 21, 2024, 8:21 pm

Processing Exception, Regional Weather Delay

October 21, 2024, 11:34 am

USPS in possession of item-

CLEARWATER, FL 33765 October 21, 2024, 11:19 am

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Shipment may be delayed due to conditions, Certified Mail® Tracking #: 9589 0710 5270 1488 851	\$4.85	

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JULIE I. BROWN, Vice Chair CHUCK DRAGO, COMMISSIONER JOHN D'AQUILA, COMMISSIONER TINA REPP, COMMISSIONER

October	3,	2024
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Ms. Christie L. Smith 1817 Oak Trail West, #102 Clearwater, Florida 33764

FILED	
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FLORIDA GAMING CONTROL COMMISSION

Date: <u>10/04/</u> File Number:

> BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION

10/04/2024

Letter of License Denial

Dear Ms. Smith:

This Letter of License Denial ("Denial") serves to inform you that your application for a Pari-Mutuel Professional Individual Occupational license and Request for Waiver is denied in accordance with the provisions of chapter 550, Florida Statutes, and the rules promulgated thereto. This Denial is based upon your following criminal disposition:

- 1. 04/04/2008 Driving Under the Influence- Habitual (F) –Guilty San Diego County, California (Case No. SCN241821)
- 02/11/2009 Driving Under the Influence- Habitual (F) –Guilty San Diego County, California (Case No. SCN255996)
- 02/19/2019 Operating While Intoxicated/Impaired/Controlled Substances- 3rd Offense (F) – Wayne County, Michigan (Case No. 19-001448-01-FH)

This conviction is a disqualifying offense under section 550.105(5), Florida Statutes. A withheld adjudication of guilt is considered a conviction for licensing under section 550.105(5), Florida Statutes.

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

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

Pursuant to sections 120.569 and 120.57, Florida Statutes, you may request a hearing to challenge the Commission' decision within twenty-one (21) days of receipt of this Denial, as provided for in rule 28-106, Florida Administrative Code, and the attached Notice of Rights.

4070 ESPLANADE WAY TALLAHASSEE, FLORIDA 32399 If you do not request a hearing within twenty-one (21) days of your receipt of this Denial, this Denial will become the Commission's Final Order. If this Denial becomes a Final Order, you will have 30 days to file for an appeal pursuant to section 120.68, Florida Statutes.

Sincerely,

Melba Apellanix Clerk of the Commission

Attachment: Notice of Rights



CERTIFICATE OF SERVICE

I hereby certify this $\underline{4}^{H}$ day of $\underline{0C+0Bkl}$, 2024, that a true copy of the

foregoing has been furnished by certified U.S. mail to:

Christie L. Smith 1817 Oak Trail West, #102 Clearwater, Florida 33764

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CLERK OF THE COMMISSION Florida Gaming Control Commission

Case No. 2024-032775

NOTICE OF RIGHTS

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

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

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

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

If a hearing pursuant to sections 120.569 and 120.57, Florida Statutes, is not requested within 21 days, the foregoing Letter of License Denial will become a Final Order. Any party adversely affected by this Final Order has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 (email: clerk@flgaming.gov), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the is filed with the Clerk.

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

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

FGCC v. SMITH, CHRISTIE L

CASE NO.: 2024-032775

ELECTION OF RIGHTS

Please read the Letter of License Denial before choosing one of the three options. The Election of Rights is a **legally binding** document. Consult an attorney if you do not understand your options.

You can only select **ONE** of the options numbered one (1), two (2), and three (3) on the Election of Rights form. You must sign the form.

A completed Election of Rights <u>must be returned to the Clerk of the Commission within 21 days, by 5:00</u> p.m., Eastern Time, of the day you receive the attached Letter of License Denial.

If your Election of Rights form or request for hearing is not filed with the Clerk of the Commission within 21 days of the day you received the Letter of License Denial, you will have waived your right to contest the proposed agency action and a Final Order will be issued imposing the proposed agency action set forth in the Letter of License Denial.

Please use this form unless you, your attorney, or your representative prefer to reply according to chapter 120, Florida Statutes, and chapter 28.106 of the Florida Administrative Code.

Please return your Election of Rights form to this address:

Florida Gaming Control Commission Attention: Clerk of the Commission 4070 Esplanade Way, Suite 250, Tallahassee, FL 32399 Telephone: (850) 794-8067 Fax: (850) 536-8709 Email: clerk@flgaming.gov

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option One (1) \Box **I do not dispute the allegations** of material fact in the Letter of License Denial and wish to be heard at an informal proceeding pursuant to section 120.57(2), Florida Statutes, where I may submit testimony and written evidence to the Commission to show that the proposed agency action is too severe or that the sanction should be reduced.

Option Two (2) I do dispute the allegations of material fact in the Letter of License Denial and I request a formal hearing pursuant to Section 120.57(1) before an Administrative Law Judge of the Division of Administrative Hearings ("DOAH"). I specifically dispute the following facts in the Letter of License Denial (attach extra pages or write on the back if needed):

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

In addition to the above election for formal hearing, check the box below if you wish to enter into settlement negotiations and waive the 15-day requirement for this matter to be referred to DOAH:

Section 120.569(2)(a), Florida Statutes, requires the Commission to send this case to DOAH for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement.

Option Three (3) I do not dispute the allegations of material fact in the Letter of License Denial and waive my right to object and to have a hearing. I understand that by giving up the right to object and have a hearing, this letter will act as the Final Order. Pursuant to section 120.68, Florida Statutes, any party adversely affected by this Final Order has the right to seek its judicial review by the filing of an original Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 (email: clerk@flgaming.gov), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the Clerk.

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

PRINTED NAME			ATTORNEY OR QL	JALIFIED REPR	RESENTATIVE	
Street Address			Street Address (where service shall be made)			
City	State	Zip	City	State	Zip	
Telephone Number Number (if any)	Facsimile	Number (if any)	Telep	phone Number	Facsimile	
E-mail			E-mail			
SIGNATURE						

YOU MUST LET THE COMMISSION KNOW IF YOUR E-MAIL OR MAILING ADDRESS CHANGES



SMITH, CHRISTIE L

Case # 2024032775

License Type: PARI-MUTUEL WAGERING INDIVIDUAL OCCUPATIONAL LICENSE (1021) Occupation: Individual Animal Owner

Waiver Requested [√] Yes [] No

XHIBIT									
Α									
	REQUEST FOR WAIVER								
RE: <u>SM</u>	ITH, CHRISTIE L. – LIC # 13869202 APPLICANT'S NAME – LICENSE #)	Case No:	2024 03 2775						
	Thoroughbred Owner ode and Job Title		-Tampa Bay Downs ty (d/b/a name)						
Waive	r Referral Date: <u>JL</u>	INE 6, 2024 (DATE)							
Investiga	tions Section: Reviewed by Bradford D. J	ones	7/19/2024 al & Date)						
	ed "Request for Waiver" file has been reviewed to the Licensing Section.	for completeness and	accuracy, and has been						
Licensing	g Section: Reviewed by:	4 gR (Initial &	Date)						
ls the appli racing juris	cant currently under suspension, have unpaid f diction?	ïnes, been refused a li	icense by any gaming or						
[]Yes o	r [√] No If yes, in what jurisdiction?								

Investigative Findings:

April 11, 1984	Cypress Police Department, FL. – Grand Theft – Felony – Applicant provided a Certified Copy of a Record Search from the Superior Court of California, County of Orange, which stated that no records were found from 01/01/1983 to 12/31/1984 in Orange County, California. – Rap Sheet indicated Convicted and Sentenced to 36 months' probation.
March 12, 1995	San Diego Sheriff's Office, CA Assault with a Deadly Weapon w/o a Gun – Felony - Applicant provided a Certified Copy of a Record Search from the Superior Court of California, County of Orange, which stated that no records were found from 01/01/1983 to 12/31/1984 in Orange County, California.
February 8, 2008	Sheriff's Office San Diego County, CA Possession of Methamphetamines & DUI Habitual – Felonies – Convicted upon a plea of Guilty and Sentenced on May 2, 2008 to 16 months in State Prison and ordered to pay \$600.00 in Fines.
December 27, 2008	Sheriff's Office San Diego County, CA Driving Under the Influence/Habitual – Felony – Convicted upon a plea of Guilty and Sentenced on February 11, 2009 to 3 years in State Prison and ordered to pay \$1,200.00 in Fines.
January 18, 2019	Allen Park Police Department, MI Operating while Intoxicated/Impaired/Controlled Substance 3 rd Offense – Felony – Convicted upon a plea of Guilty and Sentenced on February 19, 2019 to 18-months' Probation.



Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

WAIVER INVESTIGATIVE REPORT

Office: PMW	Region: NORTHERN		Date of Complaint: June 6, 2024		Case Number: 2024 03 2775	
Respondent:		C	Complainant:			
SMITH, CHRISTIE L. 1817 OAK TRAIL WEST #102 CLEARWATER, FLORIDA 33764			DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309			
Phone: (248) 242-1	223		I. LAODEN	DALL, I LONDA		
	e # / Type: 202 / 1021		Profess OWNE		Report Date: July 9, 2024	
	Period of Investigation:	0.24			Type of Report: Final	
	NE 7, 2024 – JULY 2, 20 ation: This investigation		Lupon the su	bmission of Christ	tie L. SMITH's State of Florida Pari-	
a Thoroughbred Ow you ever been conv charges against you Upon receipt of SM 2024, requesting tha - Orange County, C - San Deigo County - Madera County, C - Wayne County, Mi On April 29, 2024, S in San Diego, Califo	Mutuel Wagering Occupational License dated January 12, 2024, and Waiver Request Form dated April 29, 2024. On January 12, 2024, SMITH applied for a PMW Professional Individual Occupational license (1021) to be licensed as a Thoroughbred Owner at Tampa Bay Downs (TBD). On her application, she answered "Yes" 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". SMITH disclosed 2019 Felony conviction for DUI in Oakland County, MI. Upon receipt of SMITH's FDLE Criminal History Report, PMW Licensing sent her a Deficiency Letter on January 31, 2024, requesting that she list the following arrests, and provide court disposition records: - Orange County, California Arrest(s) – 04/11/1984 - San Deigo County, California Arrest(s) – 03/12/1995, 09/12/2005, 03/25/2006, 02/02/2008, 05/14/2008, 12/27/2008 - Madera County, California Arrest(s) – 03/18/2009 - Wayne County, Michigan Arrest(s) – 01/18/2019 On April 29, 2024, SMITH updated her original application to include the following offenses: a felony conviction for DUI in San Diego, California on 02/08/2008; another felony conviction for DUI in San Diego, California on 12/27/2008; and a felony offense for DUI in Wayne County, Michigan on 01/18/2019. She also listed two misdemeanor offenses for DUI					
Related Case:		101000, 0	stating no ro			
Investigations Spe	ecialist II / Date		Арр	proved by Invest	igator Supervisor / Date	
/s/ Lee Ann Rounds C. Peul Haland Lee Ann Rounds / July 9, 2024 C. Derek Washington / July 12, 2024						
Chief of Investigat			I			
/s/ Bradfore D. Jones July 19, 2024						

FLORIDA GAMING CONTROL COMMISSION <u>HTTPS://FLGAMING.GOV/</u>

CRIMINAL HISTORY

	Arrest 1						
	Date of Arrest: Arresting Agency:						
	4/11/1984	Cypress Po	lice Department,	Orange Count	у, СА .		
			OFFEN	ISE			
			CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE	
1 Grand Theft Property Felony Unknown Convicted				Unknown			
2	2						
3							
4							

SENTENCE

SMITH was sentenced to 36 months' probation according to the Rap Sheet.

Additional Information: SMITH provided a Certified Copy of a Record Search from the Superior Court of California, Orange County, which stated that no records were found from 01/01/1983 to 12/31/1984 in Orange County, California. On June 27, 2024, I spoke with the Records Clerk, EVA, from the West Orange County Court, (657-622-5900), who informed me that there were no records available.

	Arrest 2						
	Date of Arrest: 03/12/1995Arresting Agency: San Diego Sheriff's Office, CA						
			OFFENSE				
Cha	Charge(s): CLASSIFICATION PLEA DISPOSITION CONVICTION DATE						
1 Assault with a Deadly Weapon w/o a Gun - Case number 034298		Felony	Unknown	Unknown	Unknown		
2							
3							
4							

SENTENCE

Unknown

Additional Information: SMITH presented a Certified Copy from the Superior Court of California, County of San Diego, indicating that records were unavailable for case CN034298. I made several attempts to contact the County of San Diego Central Courthouse and the Judicial Court of San Diego (619-844-2700 and 619-844-2400) on June 27, 2024, and on June 28, 2024, but unfortunately, I did not receive a response.

CRIMINAL HISTORY

			Arrest 3			
	Date of Arrest: Arresting Agency:					
	02/08/2008	Sheriff's Office Sar	n Diego County, CA	A		
			OFFENSE			
Cha	arge(s):		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	Possession of M	ethamphetamines	Felony	Guilty	Convicted	05/02/2008
2	Driving Under the	e Influence	Misdemeanor	Guilty	Convicted	05/02/2008
3	Breathalyzer 0.08	8 or higher	Misdemeanor	Guilty	Convicted	05/02/2008
4	License Revoked	l or Suspended	Misdemeanor	Guilty	Convicted	05/02/2008
5	Possession of Dr	rug Paraphernalia	Misdemeanor	Guilty	Convicted	05/02/2008
6	DUI Habitual		Felony	Guilty	Convicted	05/02/2008
0	DOI Habiluar		Геюпу	Guilty	Convicted	05/02/200

SENTENCE

SMITH sentenced to 16 months in State Prison and ordered to pay \$600.00 in fines.

Additional Information: SMITH had probation revoked for Misdemeanor Case Numbers 201633 and 209480 due to this arrest and sentencing.

	Arrest 4					
Date of Arrest:Arresting Agency12/27/2008San Diego Sheriff						
	OFFENSE					
Charge(s): CLASSIFICATION PLEA DISPOSITION CONVICTION DATE				CONVICTION DATE		
1	Driving Under the Habitual	e Influence -	Felony	Guilty	Convicted	02/11/2009
2	Driving while Lice Suspended	ense Revoked or	Misdemeanor	Guilty	Convicted	02/11/2009
3	No Insurance		Misdemeanor	Guilty	Convicted	02/11/2009
4						

SENTENCE

SMITH sentenced to 3 years in the State Prison and \$1,200.00 in fines.

Additional Information: SMITH to pay restitution in the amount of \$754.98.

	Arrest 5					
Date of Arrest:Arresting Age01/18/2019Allen Park Po		ency: lice Department, Wayne County, MI.				
	OFFENSE					
Chi	Charge(s): CLASSIFICATION PLEA DISPOSITION CONVICTION DATE					
1	1 Operating while intoxicated/impaired/Controlled Substance 3 rd Offense		Felony	Guilty	Convicted	02/19/2019
2						
3	3					
4						

	SENTENCE	
18-month probation.		

Additional Information: Probation discharge at 1 year 6 months on 10/22/2020. SMITH paid \$1,548.00 court costs and \$180.00 supervision fees. She completed treatment and 190 hours of community service. She tested negative for drugs and alcohol and had no new criminal activity or pending warrants.

ADDITIONAL LICENSES

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

1. License Type:					
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdic	tion:	
				YES	NO
				TES	
Has License ever been suspended or revoked?					
Was any derogatory information received?					
Additional Comments:					

2. License Type:					
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdic	tion:	
				YES	NO
Has License ever been suspended or revoked?					
Was any derogatory information received?					
Additional Comments:					

3. License Type:					
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdic	Agency or Jurisdiction:	
				1	1
				YES	NO
Has License ever been suspended or revoked?					
Was any derogatory information received?					
Additional Comments:					

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

WAIVER INTERVIEW

		YES	NO
Was a Waiver Interview Conducted?		Х	
Date of Interview:	Location of Interv	iew:	
June 17, 2024 Tampa Bay Dow		vns	
		YES	NO
Was the applicant cooperative?			Х
Additional Comments: Applicant refused to discuss charges from 1984, stating there are no			are no
records remaining regarding this charge. Appl			
stating there are no records remaining regarding	g this charge; although, she de	nied any	charge
for Assault.			

SUMMARY OF INTERVIEW:

Upon discussing **SMITH's** first application, she conveyed that she did not disclose her criminal history prior to her 2019 Felony arrest because she believed that any criminal history older than 10 years was not required by the Commission.

When I attempted to discuss **SMITH's** 1984 offense for Grand Theft Property in California, <u>she declined to discuss the charges</u>, stating that she was sentenced to 36 months' probation and had fines assessed. She <u>did not provide details</u> and instead mentioned that she had provided a certified copy from Orange County indicating that no records were found. Likewise, when discussing **SMITH's** 1995 offense for Assault with a Deadly Weapon without a Gun in California, <u>she refused to discuss the charges</u>, denied any charge of Assault, and <u>declined to provide further details</u>, stating that she had provided a certified copy from San Diego County that no records were found.

SMITH also mentioned that due to a death in the family in 2005, she ended up with several DUI's, including misdemeanor DUI convictions in California in 2005 and 2006, as well as a Felony DUI charge in 2008 due to it being her third offense. She stated that she served 16 months in State Prison and was released after 9 months for good behavior. In addition, she received another DUI charge at the end of 2008 and was sentenced to 3 years in State Prison, serving 18 months before being released in 2010. She clarified that she was never involved in drugs but admitted to being a binge drinker.

After leaving California and returning to Michigan, **SMITH** states she was sober for nine years, and attending a church-run recovery program. However, in 2019, on her birthday, she decided to drink and was subsequently arrested and charged with a DUI in Wayne County, Michigan. She served probation, paid court costs and fees, attended required treatment programs, completed community service hours, and passed all drug and alcohol tests. She confirmed that she has been sober since then and does not feel the need to drink. Furthermore, she mentioned that she has been residing in Florida for the past 8 months and has been working in an accounting position for 5 months.

Additionally, **SMITH** expressed her interest in purchasing a thoroughbred racehorse, hiring a trainer, and starting to race at Gulfstream and Tampa Bay Downs. She revealed her background as an owner, trainer, and groom of harness racehorses, and mentioned that her mother owned thoroughbred racehorses.

CONCLUSION:

A check of the Association of Racing Commissioners International (ARCI) database showed no rulings against **SMITH.**

Case Status: Investigations case forwarded to Licensing.

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I.	INVESTIGATIVE REPORT COVERSHEET			
II.	INVESTIGATIVE REPORT			
III.	EXHIBITS			
	1. Photo / Waiver Request / Application / License 1-10			
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	3. Rap Sheet			
	4. Supporting Docs: ARCI / Def			

DBPR PMW-3180 - Request for Walver FLORIDA GAMING CONTROL COMMISSION STATE OF FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION DIVISION OF PARI-MUTUEL WAGERING WWW.myfloridalicense.com

<u>ristie</u> Full Legal Name of Applica

Date of Birth

Individual/Org. Number

2024 MAY 15 AM 12: 35

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

For Parl-Mutuel and Cardroom Applicants:

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

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

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

For Cardroom Applicants Only:

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

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

UNTIL YOU ARE LICENSED:

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D.

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You are not permitted to engage in any activity which requires a pari-mutual occupational license or a cardroom license at any pari-mutual facility in Florida. If you are found to be working without a license, you will be subject to arrest for trespassing and your waiver request may be denied;

2) You are forbidden from accessing any of the restricted areas of any parl-mutuel facility in Florida.

I hereby request a waiver for the situation(s) or conviction(s) noted above, and acknowledge that license and fingerprint fees are non-refundable in the event the waiver request is denied. I hereby acknowledge that my failure to participate in a waiver interview or to disclose any pertinent information regarding convictions, rulings, revocations, or deniate from other jurisdictions will result in a denial of the request for waiver. I hereby waive the Section 120,60, Florida Statutes, timeline requirement regarding the processing of this application.

Signature of Applican

<u>H-29-24</u>

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



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	in the second second and Destandand Destandand
	JAN 17 0174 Department of Business and Professional Regulation FLORIDA GAMING Division of Parl-Mutuel Wagering CONTROL COMMISSION DBPR PMW-3120 - Individual Occupational License Application
1	DBPR PMW-3120 - Individual Occupational License Application
	marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."
	DEMOGRAPHIC INFORMATION
	Gender Diale Z Female
-	Last Name First Middle Suffix
	Joith Christie Evone
-	Have you used, been known as, or called by another name (example – malden name, pseudonym, nickname) or alias other than the name used on the application? We Yes De No
	If yes, list the name or names used: Bin
	Race/Ethnicity (optional)
	Image: Display Structure Image: Display
	Current Mailing Address
Í	City State Zip Code (+4 optional) Country, if other than USA
	Clearwater FI 33764
	Edmap: Bhone Number (optional)
	Current Street Address
	1817 Ogk Trail U#102
4	City State Zip Code (+4 optional) Country, if other than USA
	Type of Occupational License applying for: Facility where employed and/or doing business:
	Pari-Mutuel General Individual Professional Individual TR
	occupation: Owner
ę.	Does your position require access to the Cardroom? Is this your first time applying for a racing/gaming
	□ Yes X No license in Florida?
	Are you a Supervisor, Manager, or Shareholder of a business with a pari-mutuel permit?
	Do you own or lease animals intended for racing in Florida?
	Stable Name, Kennel Name, or Business Name
	Trainer Name (horse or greyhound racing only) Arther Agostini
•	TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMTS ONLY
PERSONAL PROPERTY.	Type of professional license (attach a copy of Florida Florida License Number professional license):
	License Code 1021 License # 13869202 File # 73818 App # 50506
	OD IN NOUL YTAEL LUTSE
	License Fee_OV_FP Date 111- Jody FP Fee_S165 Total Fee_P11125
	Off Temp Walver Requested ARSI Enforcement Minor
· ,	DBPR PMW-3120, Effective September 2020, Rule 61D-5.001, F.A.C.
	Initial application EXHIBIT #1 PAGE 3/10
	initial application in Act of the

Martin Contraction

	2024 JAN 23 AM I	1:03	DECEIVEN
DBPR PMW-3120 - Individu	al Occupational License App CONTROL COMMI	1144	W JAN 17 2024
	DEPARTMENT OF BUS	STATE OF FLORIE INESS AND PROF OF PARI-MUTUEL w.myfloridalicense	ESSIONAL REGULATION
PPLICATION CHECKLIST -	IMPORTANT - Submit all iter	ms on the checklist	below to ensure faster processing.
LL License Applicants Must	Submit:	₽ Protection Protecti	
		nolete all sections that	are not optional in black or blue ink.
	sary to respond to any applicati	8	
	÷		nation questions in application.
Three (3) Year Licensing Fe	e – Make checks or money ord	lers payable to DBPR	X_{i}
	I Occupational License - \$15.0		
	sional Occupational License - \$		
•	e Occupational License - \$100	110	20 10 pen
Fingerprints - Choose One	Ŧ		
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agency or an FDLE ORI number: FL92 IMPORTANT: Elec	approved Livescan Service Pr 0630Z.	ovider. Submit elèctr	fingerprints with the following
	ess or phone number below. C		ts upon request by contacting the cards must be mailed to the Division
			ision. Please see History-Information.aspx for the
Fingerprint Resubm license need only p us for the current fe	rovide the Division a fingerprint	resubmission proces	ants timely renewing or upgrading a sing fee. Visit our website or contact
IMPORTANT: Time license.	ely submission of renewals mus	st occur within one ye	ar of the expiration of applicant's
			х. Х
	your completed application, Department of Business and Pari-Mutuel Wagering 2601 Blair Stone Road, Taliah Phone: 850	l Professional Regu ; Licensing Section assee, Florida 3239	lation
			EXHIBIT #1
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Page 1 of 3

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		 		INA GAMING		JAN 17 2024
4	BACH		DRMATION (A	TTACH ADDITIONAL	PAGES AS NECESS	AP'r)
Q Yes	Have you ev	er been convicted	l of, or had adjud	dication withheld for, a felo	ony or misdemeanor Invôl	ving forgery, larceny, and
₩ No .	authority, in	nspiracy to detrau this state or any o	d, or tiling talse ther state, or un	reports to a government a der the laws of the United	igency, racing or gaming States?	commission or
Ves	Have you ev	er been convicted	of or had adjud	ication withheld for any cri	ime, or pled guilty or nolo	
O No				disposition records for all chart provided below.	convictions must be subr	nitted with this
DA		COUNTY	STATE	OFFENSE	MISDEMEANOR	SENTENCE
	POSITION			-	OR FELONY?	A
ີ ລ	019	Oghland		DIT	Felow	Completed
		Canadia	····			
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O Yes	Have you ev	i er had ei racino or	gaming license	revoked or denied in this	or any other state or cour	Intry? If yes, you must
No No	list the state(s) or jurisdiction(s) of licensure rev	vocation or denial and exp	alain why.	
∐Yes No				ently suspended or subjects) of licensure and give de		
		any of the question				ALAN 83.
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	<u>es p 8 4</u>	· · · · · · · · · · · · · · · · · · ·	LEASE READ	AND SIGN BELOW		
Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee Identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.						
I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications <u>and</u> that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.						
Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.						
unless oth		second from a second state	this application	as required by Section 5	60 70 Elorido Étatutos I	м
I certify th signature application that falsific suspensio Wagering	on this applic n and to the b ication of any l on or revocation and the laws	ation has the sa est of my knowle nformation on thi n of the license. of the State of Fit	me legal effect dge, all informa s application m l agree to abid orida. Under pe	as an oath or affirmation tion contained on this ap ay result in administrative e by and obey all rules a nalty of perjury, I agree to a to any disqualifying offer	b). I declare that I have oplication is true and con a action, including fines u and regulations of the Div o inform the Division with	e read the foregoing nplete. I understand up to \$1,000, denial, vision of Pari-Mutuel in 48 hours of being

DBPR PMW-3120, Effective September 2020, Rule 61D-5.001, F.A.C.

Initial application

:,

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EXHIBIT #1 PAGE 5/10

. There of the second 2024 JAN 23 AHIL 3- -Department of Business and Professional Regulation FLORIDA GAMING **Division of Parl-Mutuel Wagering** DBPR PMW-3120 - Individual Occupational License Application instructions: Please review this application thoroughly and complete all sections that pertain to you and are not i ec marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only." DEMOGRAPHIC INFORMATION Social Security Number Aidh D Gender C Male Female Middle Suffix neistie Evone Have you used, been known as, or called by another name (example - malden name, pseudonym; nickname) or alias other than the name used on the application? Yes D No If yas, list the name or names used: ... Race/Ethnicity (optional) Asian or Pacific Islander Native American or Alaskan Native White or Caucasian Hispanic/Letino Other Current Mailing Address Email Address (optional) Ch State Zip Cór corworc Primary Phone Number Secondary/Cell Phone Number (optional) rail City State Zip Code (+4 optional) Country, If other than USA CarwyTer Type of Occupational License applying for: Facility where employed and/or doing business: Parl-Mutual General Individual 12 Parl-Mutual Professional Individual Cardroom Employee Occupation: Ine Does your position require access to the Cardroom? is this your first time applying for a racing/gaming license in Florida? Ves X No ÷., Yes D No Are you a Supervisor, Manager, or Shareholder of a business with a pari-mutuel permit? Q Yes X No Do you own or lease animals intended for racing in Florida? 茵 No 0 Yes, complete the following: Stable Name, Kennel Name, or Business Name Trainer Name (horse or greyhound racing only). TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMTS ONLY Type of professional license (attach a copy of Florida Florida License Number professional license): FOR DIVISION USE ONLY 102 250506 License Code 200 License (Association Code 2021 Entered By_ Year FP Date lcense Fee ED E... Off Temp Walver Requested Enforcement Minor DBPR PMW-3120, Effective September 2020, Rule 61D-5.001, F.A.C. Page 2 of 3 020 Cpan EXHIBIT #1 Initial application PAGE 6/10

2024 MAY 15 AM 12: 35

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

FLORIDA GAMING CONTROL COMMISSION

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

DEMOGRAPHIC INFORM	ATION					
SUCIAL SECURITY NUMBER:	Gender 🛛 Male 🗙 Female					
Smith Christie 1	Middle Suffix					
Have you used, been known as, or called by another name (example - mak the name used on the application? D Yes D No	den name, pseudonym, nickname) or alias other than					
If yes, list the name or names used:						
Race/Ethnicity (optional) Black or African American White or Caucasian Hispanic/Latino	Native American or Alaskan Native Other					
Log Trail W#102 Emeil Address						
City Clearwater FI 33764						
Primary Phone Number Secondary	Cell Phone Number (optional)					
Lurrent Street Address 1817 OgK Trgi I W# 102						
City State Zip Code (+4 optional) FI 337/64						
Type of Occupational License applying for: S Pari-Mutuel General Individual Pari-Mutuel Professional Individual Cardroom Employee	Facility where employed and/or doing business:					
Occupation: Racehorse Duner	Tampa Bay Downs Gulfstream - Racing Horses					
Does your position require access to the Cardroom?	Is this your first time applying for a racing/gaming license in Florida?					
Are you a Supervisor, Manager, or Shareholder of a business with a pari-mu						
Do you own or lease animals intended for racing in Florida? X No	Yes, complete the following:					
Stable Name, Kennel Name, or Business Name	and you will be a second and a se					
	Agostini					
TO BE COMPLETED BY DOCTORS. VETERINARIANS, NUR Type of professional license (attach a copy of Florida professional license):	SES, PARAMEDICS, AND EMTS ONLY					
FOR DIVISION USE ONLY						
License CodeLicense #	File # App #					
Association Code Date Received	Entered By License Year					
License Fee FP Date FP Fee	Total Fee					
Off Temp Walver Requested ARCI	Enforcement Minor					

DBPR PMW-3120, Effective September 2020, Rule 61D-5.001, F.A.C.

Amended Application

EXHIBIT #1 **PAGE 7/10**

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FLORIDA GAMING

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If you answered yes to any of the questions above, provide details here: I have prior Convections for PUF's from 2005, 2006, 2008 and 2019 which I will include a datament letter company of the second sec		Is any rading	or gaming licens	e vou hold cum	antiv suscended or subject	t in other discipling such	as an unpaid fine?	
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e signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses niess otherwise required by law. certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my ignature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing pplication and to the best of my knowledge, all information contained on this application is true and complete. I understand that my isolation of any information on this application may result in administrative action, including fines up to \$1,000, denial, uspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Parl-Mutuel vegering and the laws of the State of Florida. Under penalty of perjury, Lagree to Inform the Division within 48 hours of being onvicted of or entering a plea of guilty or nois contendere to any disgualifying offense, regardless of adjudication.	national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR; Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.							
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Signature of Applicant Date	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 Parl-Mutuel Vegering and the laws of the State of Florida. Under penalty of perjury, Lagree to Inform the Division within 48 hours of being convicted of or entering a plea of guilty or nois contendere to any disqualifying offense, regardless of adjudication.							
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Amended Application

DBPR PMW-3120, Effective September 2020, Rule 61D-5.001, F.A.C.

PAGE 8/10 Page 3 of 3

2024 MAY 15 AM 12: 35 BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY) Have you ever been convicted of, or had adjudication withheld feir, a felony of misdemaanor involving forgery, larceny, Yes extortion; conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or X No i authority. In this state or any other state, or under the laws of the United States? Have your ever been convicted of or had adjudication withheld for any crime, or pled guilty or noto contendere to any. Yes D No criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below. DATE OF ~COUNTY STATE OFFENSE MISDEMEANOR SENTENCE DISPOSITION **OR FELONY?** 5 AM Felony months Pinjo 200 avne work releas Modes Have you ever had a racing or gaming license revoked or dented in this or any other state or country? If yes, you must Yes list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why. No Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? Yes If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline. No If you answered yes to any of the questions above, provide details here: ladera. snot tor 2-08-08 "I Son ēD. ned PLEASE READ AND SIGN BELGW Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient. screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317. I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be relained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any Information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website. Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law. I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that faisification 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 convioted of or entering a plea of guilty or nois contendare to any disqualifying offense, regardless of adjudication. Signature of Applicant Date FXHIBIT #1 PAGE 9/10 cge 3 of 3 DBPR PMW-3120, Effective September 2020, Rule 61D-5.001, F.A.C. Amended Application

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EXHIBIT #1 PAGE 10/10

Division of Pari-Mutuel Wagering Licensing Administrator Review of Occupational License

SM	IITH, CHRISTIE-13869	9202			2024-032775			
	(Applicant's Na	ame– License #)			Case No:			
IN	IITIAL APPLIC	ATION RECE	INED):	1/17/2024			
A	pplication Dee	med Comple	te:		5/15/2024			
lf	no Request for '	Waiver receive	∋d, 90	-Day Deadline:	8/13/2024			
Wa	iver Requested:) Yes (Pursuant f	to s.120.60,	, F.S., the processing timeline r	equirement has been waived.)			
	Tori Lanier Application Processor		MPA BAY Do ity (d/b/a na		INDIVIDUAL ANIMAL OWNER Occupation Code / Job Title/Job Title			
suspension or been convicted laws of this stat	Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority; under suspension or has unpaid fines in another jurisdiction. The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the aws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; animal crueity, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.							
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<u> </u>				nviction				
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Kas a de					d / Gambling Related / Bookmaking			
Forge	ery, Larceny Extortio	on, Conspiracy To E						
	al Cruelty (Pari-Mutu	Jel Professons)						
Commen	its:							
Arrest Date	Location	Charge	Level	Court Case #	Disposition (or Unknown)			
04/11/198		Grand Theft Property	F	Unknown	Guilty			
03/12/199	0 /	Assault Deadly Weapon W/O Gun	F	CN034298	Guilty			
02/08/200	CA	Possession of Methamphetamines & DUI Habitual	F	SCN241821	Guilty			
12/27/200	CA	DUI/Habitual	F	SCN255966	Guilty			
01/18/201	9 Allen Park, MI	OWI & Controlled Substance	F	19-001448-01-FH	Guilty			
				d Licenses				
	R License Relation							
	ividual applicant rela	ated to a business?			res, complete sections below.			
	License Number:			ness Name:				
				ess indicating all ODSs must be licensed? Yes No				
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Page 1 of 1. 0 total matches.				
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Middle Name:				
Last Name: SMITH				
Sex:				
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License Type:				
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Civil Complex Cent	er - 751 W. Santa Ana Blvd.,	Santa Ana, CA 92701	1-4512	
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X North - 1275 N. Bei	keley Ave., P. O. Box 5000,	Fullerton, CA 92838-0	1500	
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Harbor - 4601 Jamboree Road, Newport Beach, CA 92660-2595		CITATION NU	JMBER:
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EXHIBIT #2 PAGE 4/40

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FLORIDA GAMING Control commission



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101
 CENTRAL DIVISION, HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101
 CENTRAL DIVISION, KEARNY MESA, 8950 CLAIREMONT MESA BLVD., SAN DIEGO, CA 92123
 CENTRAL DIVISION, JUVENILE COURT, 2851 MEADOW LARK DR., SAN DIEGO, CA 92123
 EAST COUNTY DIVISION, 250 E. MÁIN ST., EL CAJON, CA 92020
 NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081
 SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910

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Case Number: CN034298

The attached <u>REQUEST OF COPIES</u> below. <u>RECORDS ARE UNAVAILABLE FOR CASE CN034298</u>

Return this form when you resubmit your document(s) and enclose a self-addressed envelope large enough for all documents, stamped with sufficient postage.

Date: 04/11/2024

by

is being returned for the reason(s) indicated

Check(s) returned

Returned to 🖸 Plaintiff 🗋 Defendant 🖸 Attorney via:

5DSC ADM-053 (Rev. 2/15)

HALF-SHEET SENDBACK



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EXHIBIT #2 PAGE 6/40

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DATI	O4-04-08 AT 09:30 M. 08109748 SUP READINESS CONF	w
PRE	ENT: HON DANIEL B. GOLDSTEIN JUDGE PRESIDING DEPARTMENT 005	Σ
CLEI	CSR#	
	REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112-0128 THE PEOPLE OF THE STATE OF CALIFORNIA VS.	· · ·
	DEFENDANT L B-PD C.KINCHEN	
ALLE	ATTON OF 1) HS11377(A) 2) WC23152(A) 3) WC23152(B) 4) WC14601-2(A) 5)HS1 3(S) VC23550(A) CT 2 4 3	1364 LE / SWN
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	DEFENDANT PRESENT INOT PRODUCED TRIAL 4.24.08	
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	PEOPLE V. WEST PLEA. COUNSEL & DEFENDANT STIPULATE TO PRELIMINARY / GRAND JURY TRANSCRIPT AS FACTUAL BASIS OF PLEA. CON MOTION OF COURT / PEOPLE / DEFENDANT COUNT(S)	
S	CONNOTION OF ADURATION OF ADURA	
3	CONMOTION OF COURT/ PEOPLE / DEFENDANT ALLEGATION(S)/PRIOR(S) PC 1210 ACCEPTED. DECLINED. PC 1000, DEFERRED ENTRY OF JUDGMENT, GRANTEDNOS. / YRS. TIER I (TIER II.	
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V S
DATE 05-02-08 AT 01:30 M. 08109748 PROB HEAR-SENTENCING
PRESENT: HON DANIEL B. GOLDSTEIN JUDGE PRESIDING DEPARTMENT 005
CLERKALBERGO/LOMELI KMONT NANCY BLACKWILL #7066 CSR#
THE PEOPLE OF THE STATE OF CALIFORNIA
VS. DEPUTY DISTRICT ATTORNEY
DEFENDANT ATTORNEY FOR DEFENDANT TO DARD (MCO / BCC / DETAINED)
VIOLATION OF 2) *VC23152(A) P.O. MAMOMON
ENH(S) VC2.3530(0.)(3/11075 INTERP. OATH ON FILE / SWN. PRIOR(S) LANGUAGE
PROBATION IS / REMAINS: FORMALLY / SUMMARILY CONT CONT STAC TERMO.
PROBATION IS: DENIED GRANTED YEARS (FORMAL / SUMMARY) TO EXPIRE
COMMITMENT TO SHERIFF FOR DAYS. STAYED TO /PNDG. SUCC. COMPL. OF PROB. PAROLE NOT TO BE GRANTED.
J LI 4" AMENDMENT WAIVER: IMPOSED. / REMAINS IN EFFECT. / DELETED. D PROTECTIVE ORDER: ISSUED / REMAINS IN EFFECT. / MODIFIED / DELETED.
U FURTHER CONDITIONS ARE SET FORTH IN PROBATION ORDER. WORK FURLOUGH, REPORT: TO 551 S. 35 TH ST., SAN DIEGO AT 8:00 A.M.
D ERON YEARS / WONTHSY TO LIFE CREDIT FOR THE SERVED
ON COUNT CODE & NO. VC25152_COD PRINCIPAL COUNT STIPOLATED SENTENCE G DEFENDANT SENTENCED PER PC 667(b)-(i)/1170.12 NOTICE OF FIREARMS PROHIBITION GIVEN PER PC 12021 DAYS STATE NOT
M UNO VISITATION PER PC 1202.05. VICTIM IS UNDER 18 YRS. OF AGE, DA TO COMPLY WITH NOTICES
DEFT. ADVISED RE: PAROLE / APPEAL RIGHTS. DEFT. TO REGISTER PER DPC 290 DHS 11590 DPC 457 1 DPC 188 30 DAYS PC4019 / 2933-4
COEFENDANT TO PAY: EINE OF \$ INCLUDING PENANTY ASSESSMENT IT \$
T <u>BEST FINES</u> : DS <u>3</u> PER PC1202.4(b). B F/W PER PC2085.5. D <u>5</u> PER PC1202.44/PC1202.45 SUSP. UNLESS PROB. / PAROLE REVKD. PROBATION HAVING BEEN FORMALLY REVOKED, THE PREVIOUS RESTITUTION FINE OF \$, SUSPENDED PER PC 1202.44, IS NOW DUE.
CAREFORD IN TO TIMEST FER F.V. O REPORT / REST. FUND PER PG 1202 4/0 OF S / IN AN ANT TO DE OFTEO UNITO OF AN ANT A STATE OF THE STATE
COURT APPT. ATTORNEY FEES OF \$ DAT COMBINED RATE OF \$PER MONTH TO START 60 DAYS AFTER RELEASE / ON DEFT. TO REPORT TO D PROBATION D REVENUE & RECOVERY D COURT COLLECTIONS D FORTHWITH. D WITHIN 72 HOURS OF RELEASE FROM CUSTODY.
C & DEFENDANT REMANDED TO CUSTODY OF SHERIFF # WITHOUT RAN . DWITH DATE SET AT S
U T DAY BE RELEASED TO REP. OF PD / PROB / APPROVED RES. TREATMENT PROG. STAY/SERVE BAL. OF CUST. WHEN BED AVAIL. AFTER CUST. S A DEFENDANT ORDERED RELEASED FROM CUSTODY ON PROBATION. ON OWN / SUPERVISED RECOGNIZANCE. ON DEJ. THIS CASE ONLY. T T DEFENDANT TO REMAIN AT LIBERTY ON BOND POSTED S. ON PROBATION. ON PROBATION. ON DEJ. ON OWN / SUPERVISED RECOGNIZANCE.
H DEFENDANT : WAIVES STATUTORY TIME FOR PRONOUNCEMENT OF JUDGMENT. THIS REFERRED FOR DIACHORTIC EVALUATION DED TO 4000 00 1000
UG TS OF COURT / DDA / DEFENDANT / PROBATION OFFICER, REASON:
TO BE HEARD CONCURRENTLY WITH PRELIMINARY HEARING IN CASE
BR BENCH WARRANT TO ISSUE, BAIL SET AT \$ SERVICE FORTHWITH. ORDERED WITHHELD TO
NN DECL. OF NON-COLLUSION & RE-ASSUMPTION OF LIABILITY FILED. BAIL FORF. IS SET ASIDE. BAIL IS REINSTATED. SOMERATED. FORFEITED.
BOND COMPANYAGENT
M PROCEEDINGS SUSPENDED PER PC 1388, MENTAL COMPETENCY. (SEE BELOW FOR DATES OF EXAMINATION AND HEARING.)
U ALL PROPERTY IMPOUNDED, SEIZED, OR HELD IN CUSTODY IN THIS CASE TO BE DISPOSED OF PER DOSSESSING ACCURATE DELICITY.
H B FROBATION: PREPARE SUPP. REPT. / SUBMIT POST-SENT. REPT. TO CDCR PER PC12030. CLERK: DESISTRAR OF VOTERS. DOM/ABSTRACT B.A.C. E SEE ATTACHED MINUTES FOR ADDITIONAL ORDERS. CONCURRENT WITH / CONSECUTIVE TO:
PAGE 8/40
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SDSC CRM-28(Rev. 1-07) ON TO JAIU DEFT ATTY. PROS. PROB R&R Other: CRIMINAL MINUTES - PRONOUNCEMENT OF JUDGMENT

DIVISION 11. RULES OF THE ROAD [21000 - 23336] (Division 11 enacted by Stats. 1959, Ch. 3.) CHAPTER 12. Public Offenses [23100 - 23249.50] (Chapter 12 enacted by Stats. 1959, Ch. 3.)

ARTICLE 2. Offenses Involving Alcohol and Drugs [23152 - 23229.1] (Article 2 added by Stats. 1981, Ch. 940, Sec. 32.)

23152. (a) It is unlawful for a person who is under the influence of any alcoholic beverage to drive a vehicle.

(b) It is unlawful for a person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle.

For purposes of this article and Section 34501.16, percent, by weight, of alcohol in a person's blood is based upon grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

(c) It is unlawful for a person who is addicted to the use of any drug to drive a vehicle. This subdivision shall not apply to a person who is participating in a narcotic treatment program approved pursuant to Article 3 (commencing with Section 11875) of Chapter 1 of Part 3 of Division 10.5 of the Health and Safety Code.

(d) It is unlawful for a person who has 0.04 percent or more, by weight, of alcohol in his or her blood to drive a commercial motor vehicle, as defined in Section 15210. In a prosecution under this subdivision, it is a rebuttable presumption that the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of a chemical test within three hours after the driving.

(e) Commencing July 1, 2018, it shall be unlawful for a person who has 0.04 percent or more, by weight, of alcohol in his or her blood to drive a motor vehicle when a passenger for hire is a passenger in the vehicle at the time of the offense. For purposes of this subdivision, "passenger for hire" means a passenger for whom consideration is contributed or expected as a condition of carriage in the vehicle, whether directly or indirectly flowing to the owner, operator, agent, or any other person having an interest in the vehicle. In a prosecution under this subdivision, it is a rebuttable presumption that the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.04 percent or more, by weight, of alcohol at the time of the performance of a chemical test within three hours after the driving.

(f) It is unlawful for a person who is under the influence of any drug to drive a vehicle.

(g) It is unlawful for a person who is under the combined influence of any alcoholic beverage and drug to drive a vehicle.

(Amended by Stats. 2016, Ch. 765, Sec. 1. (AB 2687) Effective January 1, 2017.)

EXHIBIT #2 PAGE 8/40

HEALTH AND SAFETY CODE - HSC

DIVISION 10. UNIFORM CONTROLLED SUBSTANCES ACT [11000 - 11651] (Division 10 repealed and added by Stats. 1972, Ch. 1407.) CHAPTER 6. Offenses and Penalties [11350 - 11392] (Chapter 6 added by Stats. 1972, Ch. 1407.)

ARTICLE 4. Miscellaneous Offenses and Provisions [11364 - 11376.6] (Article 4 added by Stats. 1972, Ch. 1407.)

11364. (a) It is unlawful to possess an opium pipe or any device, contrivance, instrument, or paraphernalia used for unlawfully injecting or smoking (1) a controlled substance specified in subdivision (b), (c), or (e) or paragraph (1) of subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of Section 11054, specified in subdivision (b) or (c) of Section 11055, or specified in paragraph (2) of subdivision (d) of Section 11055, or (2) a controlled substance that is a narcotic drug classified in Schedule III, IV, or V.

(b) This section shall not apply to hypodermic needles or syringes that have been containerized for safe disposal in a container that meets state and federal standards for disposal of sharps waste.

(c) Until January 1, 2026, as a public health measure intended to prevent the transmission of HIV, viral hepatitis, and other bloodborne diseases among persons who use syringes and hypodermic needles, and to prevent subsequent infection of sexual partners, newborn children, or other persons, this section shall not apply to the possession solely for personal use of hypodermic needles or syringes.

(Amended by Stats. 2020, Ch. 274, Sec. 4. (AB 2077) Effective January 1, 2021.)



HEALTH AND SAFETY CODE - HSC

DIVISION 10. UNIFORM CONTROLLED SUBSTANCES ACT [11000 - 11651] (Division 10 repealed and added by Stats. 1972, Ch. 1407.) CHAPTER 6. Offenses and Penalties [11350 - 11392] (Chapter 6 added by Stats. 1972, Ch. 1407.)

ARTICLE 5. Offenses Involving Controlled Substances Formerly Classified as Restricted Dangerous Drugs [11377 - 11382.5] (Heading of Article 5 amended by Stats. 1973, Ch. 1078.)

11377. (a) Except as authorized by law and as otherwise provided in subdivision (b) or Section 11375, or in Article 7 (commencing with Section 4211) of Chapter 9 of Division 2 of the Business and Professions Code, every person who possesses any controlled substance which is (1) classified in Schedule III, IV, or V, and which is not a narcotic drug, (2) specified in subdivision (d) of Section 11054, except paragraphs (13), (14), (15), and (20) of subdivision (d), (3) specified in paragraph (11) of subdivision (c) of Section 11056, (4) specified in paragraph (2) or (3) of subdivision (f) of Section 11054, or (5) specified in subdivision (d), (e), or (f) of Section 11055, unless upon the prescription of a physician, dentist, podiatrist, or veterinarian, licensed to practice in this state, shall be punished by imprisonment in a county jail for a period of not more than one year, except that such person may instead be punished pursuant to subdivision (h) of Section 1170 of the Penal Code if that person has one or more prior convictions for an offense specified in clause (iv) of subdivision (c) of Section 290 of the Penal Code.

(b) The judge may assess a fine not to exceed seventy dollars (\$70) against any person who violates subdivision (a), with the proceeds of this fine to be used in accordance with Section 1463.23 of the Penal Code. The court shall, however, take into consideration the defendant's ability to pay, and no defendant shall be denied probation because of his or her inability to pay the fine permitted under this subdivision.

(c) It is not unlawful for a person other than the prescription holder to possess a controlled substance described in subdivision (a) if both of the following apply:

(1) The possession of the controlled substance is at the direction or with the express authorization of the prescription holder.

(2) The sole intent of the possessor is to deliver the prescription to the prescription holder for its prescribed use or to discard the substance in a lawful manner.

(d) This section does not permit the use of a controlled substance by a person other than the prescription holder or permit the distribution or sale of a controlled substance that is otherwise inconsistent with the prescription.

(Amended (as amended by Proposition 47) by Stats. 2017, Ch. 269, Sec. 6. (SB 811) Effective January 1, 2018. Note: This section was amended on Nov. 4, 2014, by initiative Prop. 47.)

EXHIBIT #2 PAGE 11/40

DIVISION 6. DRIVERS' LICENSES [12500 - 15326] (Heading of Division 6 amended by Stats. 1961, Ch. 1615.)

CHAPTER 4. Violation of License Provisions [14600 - 14611] (Chapter 4 enacted by Stats. 1959, Ch. 3.)

14601.2. (a) A person shall not drive a motor vehicle at any time when that person's driving privilege is suspended or revoked for a conviction of a violation of Section 23152 or 23153 if the person so driving has knowledge of the suspension or revocation.

(b) Except in full compliance with the restriction, a person shall not drive a motor vehicle at any time when that person's driving privilege is restricted if the person so driving has knowledge of the restriction.

(c) Knowledge of the suspension or revocation of the driving privilege shall be conclusively presumed if mailed notice has been given by the department to the person pursuant to Section 13106. Knowledge of the restriction of the driving privilege shall be presumed if notice has been given by the court to the person. The presumption established by this subdivision is a presumption affecting the burden of proof.

(d) A person convicted of a violation of this section shall be punished as follows:

(1) Upon a first conviction, by imprisonment in the county jail for not less than 10 days or more than six months and by a fine of not less than three hundred dollars (\$300) or more than one thousand dollars (\$1,000), unless the person has been designated a habitual traffic offender under subdivision (b) of Section 23546, subdivision (b) of Section 23550, or subdivision (d) of Section 23550.5, in which case the person, in addition, shall be sentenced as provided in paragraph (3) of subdivision (e) of Section 14601.3.

(2) If the offense occurred within five years of a prior offense that resulted in a conviction of a violation of this section or Section 14601, 14601.1, or 14601.5, by imprisonment in the county jail for not less than 30 days or more than one year and by a fine of not less than five hundred dollars (\$500) or more than two thousand dollars (\$2,000), unless the person has been designated a habitual traffic offender under subdivision (b) of Section 23546, subdivision (b) of Section 23550, or subdivision (d) of Section 23550.5, in which case the person, in addition, shall be sentenced as provided in paragraph (3) of subdivision (e) of Section 14601.3.

(e) If a person is convicted of a first offense under this section and is granted probation, the court shall impose as a condition of probation that the person be confined in the county jail for at least 10 days.

(f) If the offense occurred within five years of a prior offense that resulted in a conviction of a violation of this section or Section 14601, 14601.1, or 14601.5 and is granted probation, the court shall impose as a condition of probation that the person be confined in the county jail for at least 30 days.

(g) If a person is convicted of a second or subsequent offense that results in a conviction of this section within seven years, but over five years, of a prior offense that resulted in a conviction of a violation of this section or Section 14601, 14601.1, or 14601.5 and is granted probation, the court shall impose as a condition of probation that the person be confined in the county jail for at least 10 days.

(h) Pursuant to Section 23575, the court shall require a person convicted of a violation of this section to install a certified ignition interlock device on a vehicle the person owns or operates. Upon receipt of the abstract of a conviction under this section, the department shall not reinstate the privilege to operate a motor vehicle until the department receives proof of either the "Verification of Installation" form as described in paragraph (2) of subdivision (h) of Section 13386 or the Judicial Council Form I.D. 100.

(i) This section does not prohibit a person who is participating in, or has completed, an alcohol or drug rehabilitation program from driving a motor vehicle that is owned or utilized by the person's employer, during the course of employment on private property that is owned or utilized by the employer, except an offstreet parking facility, as defined in subdivision (c) of Section 12500.

(j) This section also applies to the operation of an off-highway motor vehicle on those lands that the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with Section 38000)) applies as to off-highway motor vehicles, as described in Section 38001.

(k) If Section 23573 is applicable, then subdivision (h) is not applicable.

(Amended by Stats. 2014, Ch. 71, Sec. 173. (SB 1304) Effective January 1, 2015.)

EXHIBIT #2 PAGE 12/40

DIVISION 11.5. SENTENCING FOR DRIVING WHILE UNDER THE INFLUENCE [23500 - 23675] (Division 11.5 added by Stats. 1998, Ch. 118, Sec. 84.)

CHAPTER 2. Court Penalties [23530 - 23598] (Chapter 2 added by Stats. 1998, Ch. 118, Sec. 84.)

ARTICLE 2. Penalties for a Violation of Section 23152 [23536 - 23552] (Article 2 added by Stats. 1998, Ch. 118, Sec. 84.)

23550. (a) If a person is convicted of a violation of Section 23152 and the offense occurred within 10 years of three or more separate violations of Section 23103, as specified in Section 23103.5, or Section 23152 or 23153, or any combination thereof, that resulted in convictions, that person shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or in a county jail for not less than 180 days nor more than one year, and by a fine of not less than three hundred ninety dollars (\$390) nor more than one thousand dollars (\$1,000). The person's privilege to operate a motor vehicle shall be revoked by the Department of Motor Vehicles pursuant to paragraph (7) of subdivision (a) of Section 13352. The court shall require the person to surrender the driver's license to the court in accordance with Section 13550.

(b) A person convicted of a violation of Section 23152 punishable under this section shall be designated as a habitual traffic offender for a period of three years, subsequent to the conviction. The person shall be advised of this designation pursuant to subdivision (b) of Section 13350.

(Amended by Stats. 2011, Ch. 15, Sec. 614. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

EXHIBIT #2 PAGE 13/40

12/27/2008 Offense

EXHIBIT #2 PAGE 14/40

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	THE PEOPLE OF THE STATE OF CALIFORNIA
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8_	DEFT. ORDERED TO REMAIN IN COURTROOM UNTIL INTERVIEWED BY COURT PROBATION OFFICER FOR A LIMITED REPORT.
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SDSC CRM-2C(Rev. 5-04) MAIL DEFT ATTY. PROS. PROB. R&R MHS SAAUCRIMINAL MINUTES - MISCELLANEOUS

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PRESENT: HON DANIEL B. GOLDSTEIN JUDGE PRESIDING DEPARTMENT 005
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PRESENT: HONDANIEL B. GOLDSTEIN	JUDGE PRESIDING	DEPARTMENT 005	
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CRIMINAL MINUTES - PRONOUNCEMENT OF JUDGMENT

DIVISION 11. RULES OF THE ROAD [21000 - 23336] (Division 11 enacted by Stats. 1959, Ch. 3.) CHAPTER 12. Public Offenses [23100 - 23249.50] (Chapter 12 enacted by Stats. 1959, Ch. 3.)

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In any prosecution under this subdivision, it is a rebuttable presumption that the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.08 percent or more, by weight, of alcohol in his or her blood at the time of the performance of a chemical test within three hours after the driving.

(c) It is unlawful for a person who is addicted to the use of any drug to drive a vehicle. This subdivision shall not apply to a person who is participating in a narcotic treatment program approved pursuant to Article 3 (commencing with Section 11875) of Chapter 1 of Part 3 of Division 10.5 of the Health and Safety Code.

(d) It is unlawful for a person who has 0.04 percent or more, by weight, of alcohol in his or her blood to drive a commercial motor vehicle, as defined in Section 15210. In a prosecution under this subdivision, it is a rebuttable presumption that the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of a chemical test within three hours after the driving.

(e) Commencing July 1, 2018, it shall be unlawful for a person who has 0.04 percent or more, by weight, of alcohol in his or her blood to drive a motor vehicle when a passenger for hire is a passenger in the vehicle at the time of the offense. For purposes of this subdivision, "passenger for hire" means a passenger for whom consideration is contributed or expected as a condition of carriage in the vehicle, whether directly or indirectly flowing to the owner, operator, agent, or any other person having an interest in the vehicle. In a prosecution under this subdivision, it is a rebuttable presumption that the person had 0.04 percent or more, by weight, of alcohol in his or her blood at the time of driving the vehicle if the person had 0.04 percent or more, by weight, of alcohol at the time of the performance of a chemical test within three hours after the driving.

(f) It is unlawful for a person who is under the influence of any drug to drive a vehicle.

(g) It is unlawful for a person who is under the combined influence of any alcoholic beverage and drug to drive a vehicle.

(Amended by Stats. 2016, Ch. 765, Sec. 1. (AB 2687) Effective January 1, 2017.)

EXHIBIT #2 PAGE 18/40

DIVISION 6. DRIVERS' LICENSES [12500 - 15326] (Heading of Division 6 amended by Stats. 1961, Ch. 1615.)

CHAPTER 4. Violation of License Provisions [14600 - 14611] (Chapter 4 enacted by Stats. 1959, Ch. 3.)

14601.2. (a) A person shall not drive a motor vehicle at any time when that person's driving privilege is suspended or revoked for a conviction of a violation of Section 23152 or 23153 if the person so driving has knowledge of the suspension or revocation.

(b) Except in full compliance with the restriction, a person shall not drive a motor vehicle at any time when that person's driving privilege is restricted if the person so driving has knowledge of the restriction.

(c) Knowledge of the suspension or revocation of the driving privilege shall be conclusively presumed if mailed notice has been given by the department to the person pursuant to Section 13106. Knowledge of the restriction of the driving privilege shall be presumed if notice has been given by the court to the person. The presumption established by this subdivision is a presumption affecting the burden of proof.

(d) A person convicted of a violation of this section shall be punished as follows:

(1) Upon a first conviction, by imprisonment in the county jail for not less than 10 days or more than six months and by a fine of not less than three hundred dollars (\$300) or more than one thousand dollars (\$1,000), unless the person has been designated a habitual traffic offender under subdivision (b) of Section 23546, subdivision (b) of Section 23550, or subdivision (d) of Section 23550.5, in which case the person, in addition, shall be sentenced as provided in paragraph (3) of subdivision (e) of Section 14601.3.

(2) If the offense occurred within five years of a prior offense that resulted in a conviction of a violation of this section or Section 14601, 14601.1, or 14601.5, by imprisonment in the county jail for not less than 30 days or more than one year and by a fine of not less than five hundred dollars (\$500) or more than two thousand dollars (\$2,000), unless the person has been designated a habitual traffic offender under subdivision (b) of Section 23546, subdivision (b) of Section 23550, or subdivision (d) of Section 23550.5, in which case the person, in addition, shall be sentenced as provided in paragraph (3) of subdivision (e) of Section 14601.3.

(e) If a person is convicted of a first offense under this section and is granted probation, the court shall impose as a condition of probation that the person be confined in the county jail for at least 10 days.

(f) If the offense occurred within five years of a prior offense that resulted in a conviction of a violation of this section or Section 14601, 14601.1, or 14601.5 and is granted probation, the court shall impose as a condition of probation that the person be confined in the county jail for at least 30 days.

(g) If a person is convicted of a second or subsequent offense that results in a conviction of this section within seven years, but over five years, of a prior offense that resulted in a conviction of a violation of this section or Section 14601, 14601.1, or 14601.5 and is granted probation, the court shall impose as a condition of probation that the person be confined in the county jail for at least 10 days.

(h) Pursuant to Section 23575, the court shall require a person convicted of a violation of this section to install a certified ignition interlock device on a vehicle the person owns or operates. Upon receipt of the abstract of a conviction under this section, the department shall not reinstate the privilege to operate a motor vehicle until the department receives proof of either the "Verification of Installation" form as described in paragraph (2) of subdivision (h) of Section 13386 or the Judicial Council Form I.D. 100.

(i) This section does not prohibit a person who is participating in, or has completed, an alcohol or drug rehabilitation program from driving a motor vehicle that is owned or utilized by the person's employer, during the course of employment on private property that is owned or utilized by the employer, except an offstreet parking facility, as defined in subdivision (c) of Section 12500.

(j) This section also applies to the operation of an off-highway motor vehicle on those lands that the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with Section 38000)) applies as to off-highway motor vehicles, as described in Section 38001.

(k) If Section 23573 is applicable, then subdivision (h) is not applicable.

(Amended by Stats. 2014, Ch. 71, Sec. 173. (SB 1304) Effective January 1, 2015.)

EXHIBIT #2 PAGE 19/40

DIVISION 7. FINANCIAL RESPONSIBILITY LAWS [16000 - 16560] (Division 7 enacted by Stats. 1959, Ch. 3.) CHAPTER 1. Compulsory Financial Responsibility [16000 - 16078] (Chapter 1 repealed and added by Stats. 1974, Ch. 1409.)

ARTICLE 2. Financial Responsibility [16020 - 16033] (Article 2 added by Stats. 1974, Ch. 1409.)

16028. (a) Upon the demand of a peace officer pursuant to subdivision (b) or upon the demand of a peace officer or traffic collision investigator pursuant to subdivision (c), every person who drives a motor vehicle upon a highway shall provide evidence of financial responsibility for the vehicle that is in effect at the time the demand is made. The evidence of financial responsibility may be provided using a mobile electronic device. However, a peace officer shall not stop a vehicle for the sole purpose of determining whether the vehicle is being driven in violation of this subdivision.

(b) If a notice to appear is issued for any alleged violation of this code, except a violation specified in Chapter 9 (commencing with Section 22500) of Division 11 or any local ordinance adopted pursuant to that chapter, the cited driver shall furnish written evidence of financial responsibility or may provide electronic verification of evidence of financial responsibility using a mobile electronic device upon request of the peace officer issuing the citation. The peace officer shall request and verify the driver's evidence of financial responsibility, as specified in Section 16020. If the driver fails to provide evidence of financial responsibility at the time the notice to appear is issued, the peace officer may issue the driver a notice to appear for violation of subdivision (a). The notice to appear for violation of subdivision (a) shall be written on the same citation form as the original violation.

(c) If a peace officer, or a regularly employed and salaried employee of a city or county who has been trained as a traffic collision investigator, is summoned to the scene of an accident described in Section 16000, the driver of a motor vehicle that is in any manner involved in the accident shall furnish written evidence of financial responsibility or may provide electronic verification of evidence of financial responsibility using a mobile electronic device upon the request of the peace officer or traffic collision investigator. If the driver fails to provide evidence of financial responsibility when requested, the peace officer may issue the driver a notice to appear for violation of subdivision (a). A traffic collision investigator may cause a notice to appear to be issued for a violation of subdivision (a), upon review of that citation by a peace officer.

(d) (1) If, at the time a notice to appear for a violation of subdivision (a) is issued, the person is driving a motor vehicle owned or leased by the driver's employer, and the vehicle is being driven with the permission of the employer, this section shall apply to the employer rather than the driver. In that case, a notice to appear shall be issued to the employer rather than the driver, and the driver may sign the notice on behalf of the employer.

(2) The driver shall notify the employer of the receipt of the notice issued pursuant to paragraph (1) not later than five days after receipt.

(e) A person issued a notice to appear for a violation of subdivision (a) may personally appear before the clerk of the court, as designated in the notice to appear, and provide written evidence of financial responsibility in a form consistent with Section 16020, showing that the driver was in compliance with that section at the time the notice to appear for violating subdivision (a) was issued. In lieu of the personal appearance, the person may submit by mail to the court written evidence of having had financial responsibility at the time the notice to appear was issued. Upon receipt by the clerk of that written evidence of financial responsibility in a form consistent with Section 16020, further proceedings on the notice to appear for the violation of subdivision (a) shall be dismissed.

(f) For the purposes of this section, "mobile electronic device" means a portable computing and communication device that has a display screen with touch input or a miniature keyboard.

(g) For the purposes of this section, when a person provides evidence of financial responsibility using a mobile electronic device to a peace officer, the peace officer shall only view the evidence of financial responsibility and is prohibited from viewing any other content on the mobile electronic device.

(h) If a person presents a mobile electronic device pursuant to this section, that person assumes all liability for any damage to the mobile electronic device.

(Amended by Stats. 2022, Ch. 295, Sec. 14. (AB 2956) Effective January 1, 2023.)

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DIVISION 11.5. SENTENCING FOR DRIVING WHILE UNDER THE INFLUENCE [23500 - 23675] (Division 11.5 added by Stats. 1998, Ch. 118, Sec. 84.)

CHAPTER 2. Court Penalties [23530 - 23598] (Chapter 2 added by Stats. 1998, Ch. 118, Sec. 84.)

ARTICLE 2. Penalties for a Violation of Section 23152 [23536 - 23552] (Article 2 added by Stats. 1998, Ch. 118, Sec. 84.)

23550. (a) If a person is convicted of a violation of Section 23152 and the offense occurred within 10 years of three or more separate violations of Section 23103, as specified in Section 23103.5, or Section 23152 or 23153, or any combination thereof, that resulted in convictions, that person shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or in a county jail for not less than 180 days nor more than one year, and by a fine of not less than three hundred ninety dollars (\$390) nor more than one thousand dollars (\$1,000). The person's privilege to operate a motor vehicle shall be revoked by the Department of Motor Vehicles pursuant to paragraph (7) of subdivision (a) of Section 13352. The court shall require the person to surrender the driver's license to the court in accordance with Section 13550.

(b) A person convicted of a violation of Section 23152 punishable under this section shall be designated as a habitual traffic offender for a period of three years, subsequent to the conviction. The person shall be advised of this designation pursuant to subdivision (b) of Section 13350.

(Amended by Stats. 2011, Ch. 15, Sec. 614. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

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DIVISION 11.5. SENTENCING FOR DRIVING WHILE UNDER THE INFLUENCE [23500 - 23675] (Division 11.5 added by Stats. 1998, Ch. 118, Sec. 84.)

CHAPTER 2. Court Penalties [23530 - 23598] (Chapter 2 added by Stats. 1998, Ch. 118, Sec. 84.)

ARTICLE 5. Additional Penalties and Sanctions [23573 - 23582] (Article 5 added by Stats. 1998, Ch. 118, Sec. 84.)

23578. In addition to any other provision of this code, if a person is convicted of a violation of Section 23152 or 23153, the court shall consider a concentration of alcohol in the person's blood of 0.15 percent or more, by weight, or the refusal of the person to take a breath or urine test, as a special factor that may justify enhancing the penalties in sentencing, in determining whether to grant probation, and, if probation is granted, in determining additional or enhanced terms and conditions of probation.

(Amended by Stats. 2018, Ch. 177, Sec. 2. (AB 2717) Effective January 1, 2019.)



PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 16. GENERAL PROVISIONS [654 - 678] (Title 16 enacted 1872.)

667. (a) (1) A person convicted of a serious felony who previously has been convicted of a serious felony in this state or of any offense committed in another jurisdiction that includes all of the elements of any serious felony, shall receive, in addition to the sentence imposed by the court for the present offense, a five-year enhancement for each such prior conviction on charges brought and tried separately. The terms of the present offense and each enhancement shall run consecutively.

(2) This subdivision shall not be applied when the punishment imposed under other provisions of law would result in a longer term of imprisonment. There is no requirement of prior incarceration or commitment for this subdivision to apply.

(3) The Legislature may increase the length of the enhancement of sentence provided in this subdivision by a statute passed by majority vote of each house thereof.

(4) As used in this subdivision, "serious felony" means a serious felony listed in subdivision (c) of Section 1192.7.

(5) This subdivision does not apply to a person convicted of selling, furnishing, administering, or giving, or offering to sell, furnish, administer, or give to a minor any methamphetamine-related drug or any precursors of methamphetamine unless the prior conviction was for a serious felony described in subparagraph (24) of subdivision (c) of Section 1192.7.

(b) It is the intent of the Legislature in enacting subdivisions (b) to (i), inclusive, to ensure longer prison sentences and greater punishment for those who commit a felony and have been previously convicted of one or more serious or violent felony offenses.

(c) Notwithstanding any other law, if a defendant has been convicted of a felony and it has been pled and proved that the defendant has one or more prior serious or violent felony convictions as defined in subdivision (d), the court shall adhere to each of the following:

(1) There shall not be an aggregate term limitation for purposes of consecutive sentencing for any subsequent felony conviction.

(2) Probation for the current offense shall not be granted, nor shall execution or imposition of the sentence be suspended for any prior offense.

(3) The length of time between the prior serious or violent felony conviction and the current felony conviction shall not affect the imposition of sentence.

(4) There shall not be a commitment to any other facility other than the state prison. Diversion shall not be granted, nor shall the defendant be eligible for commitment to the California Rehabilitation Center as provided in Article 2 (commencing with Section 3050) of Chapter 1 of Division 3 of the Welfare and Institutions Code.

(5) The total amount of credits awarded pursuant to Article 2.5 (commencing with Section 2930) of Chapter 7 of Title 1 of Part 3 shall not exceed one-fifth of the total term of imprisonment imposed and shall not accrue until the defendant is physically placed in the state prison.

(6) If there is a current conviction for more than one felony count not committed on the same occasion, and not arising from the same set of operative facts, the court shall sentence the defendant consecutively on each count pursuant to subdivision (e).

(7) If there is a current conviction for more than one serious or violent felony as described in paragraph (6), the court shall impose the sentence for each conviction consecutive to the sentence for any other conviction for which the defendant may be consecutively sentenced in the manner prescribed by law.

(8) A sentence imposed pursuant to subdivision (e) shall be imposed consecutive to any other sentence that the defendant is already serving, unless otherwise provided by law.

(d) Notwithstanding any other law and for the purposes of subdivisions (b) to (i), inclusive, a prior conviction of a serious or violent felony shall be defined as:

(1) An offense defined in subdivision (c) of Section 667.5 as a violent felony or an offense defined in subdivision (c) of Section 1192.7 as a serious felony in this state. The determination of whether a prior conviction is a prior felony conviction for purposes of subdivisions (b) to (i), inclusive, shall be made upon the date of that prior conviction and is not affected by the sentence imposed unless the sentence automatically, upon the initial sentencing, converts the felony to a misdemeanor. The following dispositions shall not affect the determination that a prior conviction is a prior felony for purposes of subdivisions (b) to (i), inclusive:

(A) The suspension of imposition of judgment or sentence.

(B) The stay of execution of sentence.

(C) The commitment to the State Department of State Hospitals as a mentally disordered sex offender following a conviction of a felony.

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(D) The commitment to the California Rehabilitation Center or any other facility whose function is rehabilitative diversion from the state prison.

(2) A prior conviction in another jurisdiction for an offense that, if committed in California, is punishable by imprisonment in the state prison constitutes a prior conviction of a particular serious or violent felony if the prior conviction in the other jurisdiction is for an offense that

PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 16. GENERAL PROVISIONS [654 - 678] (Title 16 enacted 1872.)

668. Every person who has been convicted in any other state, government, country, or jurisdiction of an offense for which, if committed within this state, that person could have been punished under the laws of this state by imprisonment in the state prison, is punishable for any subsequent crime committed within this state in the manner prescribed by law and to the same extent as if that prior conviction had taken place in a court of this state. The application of this section includes, but is not limited to, all statutes that provide for an enhancement or a term of imprisonment based on a prior conviction or a prior prison term or a term pursuant to subdivision (h) of Section 1170.

(Amended by Stats. 2011, Ch. 15, Sec. 444. (AB 109) Effective April 4, 2011. Operative October 1, 2011, by Sec. 636 of Ch. 15, as amended by Stats. 2011, Ch. 39, Sec. 68.)

EXHIBIT #2 PAGE 24/40

DIVISION 11.5. SENTENCING FOR DRIVING WHILE UNDER THE INFLUENCE [23500 - 23675] (Division 11.5 added by Stats. 1998, Ch. 118, Sec. 84.)

CHAPTER 4. Procedures [23610 - 23675] (Chapter 4 added by Stats. 1998, Ch. 118, Sec. 84.)

ARTICLE 2. Prior and Separate Offenses [23620 - 23626] (Article 2 added by Stats. 1998, Ch. 118, Sec. 84.)

23626. A conviction of an offense in any state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or the Dominion of Canada that, if committed in this state, would be a violation of Section 23152 or 23153 of this code, or Section 191.5 of, or subdivision (a) of Section 192.5 of, the Penal Code, is a conviction of Section 23152 or 23153 of this code, or Section 191.5 of, or subdivision (a) of Section 192.5 of, the Penal Code for the purposes of this code.

(Amended by Stats. 2007, Ch. 747, Sec. 39. Effective January 1, 2008.)

EXHIBIT #2 PAGE 25/40

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Allen Park Police Departs		ORTING OFFICER NA	UNICALLYE	OCA 2019-001	76
Victim		Offense		Date / Time Repo	
Society		OPERATING UNDER T	HE INFLUENCE OF	Fri 01/18/2	4 . Y
THE INF	ORMATION BELOW IS	CONFIDENTIAL - FOR USE BY AUT	THORIZED PERSONNEL ONLY	<u> </u>	1. N
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2019-00176				CO 20	
01/19/2019				27 2	X
Ofc. Winger			а ⁰ ,	ROA	677
O.W.I - Felony				2024 MAY 15 CONTROL C	0
1				ເລະ ດ	
Location: S M-39 /	Fox Ave				Contra Contra
Offender: Smith, C	ristia I amna			Sin N	- m
Orionaer, omnin, o	miscle Lynne -			DA GAMINE COMMISSION	. 0
Target Vehicle: 200	6 Pontiac G6 - VI		۰. ^د .	Z	
т		4	6		
Property:			ą		
Registration Plate:	MI - Re	epeat Offender Plate Issued			÷-
MSP DNA Kit					
Details:					
On 01/18/2019, I of failed to signal their	r lane change to the n S M-39 passing I	ehicle traveling on S M-39 n center right lane. I initiated Dix Ave at a slow speed. I ac came to a stop.	a traffic stop near M-39	and Rosedale	Ave. The
On 01/18/2019, I of failed to signal thei vehicle continued of turned into the AT I made contact with noticed the offende	r lane change to the n S M-39 passing I &T parking lot and the driver/offende rs eyes had a glossy he had a couple of	center right lane. I initiated Dix Ave at a slow speed. I ac	a traffic stop near M-39 tivated my emergency si dentified by her Michiga of intoxicants emitting fr	and Rosedale iren. The vehicl n operators lice om her person.	Ave. The le then ense. I The
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· · · ·	REPC	RTING OFFICER NARRATIVE	OCA
Allen Park Police Department			2019-00176
Victim	5 (e. T	Offense	Date / Time Reported
Society		OPERATING UNDER THE INFLUENCE OF	Fri 01/18/2019 22:32
THE INFORM	TON DET OW IS OV	WEINCHTAT EOD LICE BY ATTUODIZED DEDONMET, ONI Y	филистрания и продата на продата При продата на продата При продата на продата

At this time I read the offender her PBT rights from the department issued form. The offender consented to a PBT that resulted in a .13BAC. At this time I placed the offender under arrest for O.W.I (tc/dl two sets of handcuffs). Once in the rear of the patrol car, I advised the offender of her charges.

A LEIN query of the offender showed four previous alcohol convictions. The target vehicle was towed to APPD impound lot (TT#78). The attached registration plate (MI: was confiscated and a repeat offender plate was issued. DCD entered the plate into LEIN

I transported the offender to APPD for booking. DCD was advised of starting and ending mileage via radio. At APPD I read the offender her chemical test rights verbatim from the back of the DI-177. The offender consented to a breath test. At 2312hrs I checked the offenders mouth for any blood or foreign objects. At 2328hrs the offenders first breath sample resulted in a .12BAC. At 2331hrs the offenders second breath sample resulted in a .11BAC. The DI-177 was completed and Sgt. Gersky entered it into LEIN.

I used the MSP DNA Kit to collect a sample from the offender. The kit was completed, tagged and placed in temporary evidence locker #007. The attached registration plate was confiscated, tagged and placed in temporary evidence locker #001.

I placed the offender in cell #002 and her property in locker #002. All other O.W.I paperwork was completed and distributed appropriately.

1024 HAY 15 AH 12: ж П CEVED

FLORIDA GAMING ONTROL-COMMISSION

Page 4

EXHIBIT #2 PAGE 32/40

Incident Report Suspect List

	Allen	Park	Police	Department
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OCA: 2019-00176

1	Name (Last, First, SMITH, CHI	ç ,	e	5			Also	Cnown As		, ⁴		iome Address 22295 ATLANTIC I		
	Business Address							- κ -				FARMINGTON HI	LS, MI 483	36-4342
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2024 MAY 15 AM 12: 43 CONTROL COMMISSION RECEIVED

EXHIBIT #2 PAGE 33/40

Non Disqualifying



2024 MAY 15 AM 12: 36

RECEIVED

2024 MAY 15 AM 12: 36 FLORIDA GAMING CONTROL COMMISSION



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101
 CENTRAL DIVISION, HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101
 CENTRAL DIVISION, KEARNY MESA, 8950 CLAIREMONT MESA BLVD., SAN DIEGO, CA 92123
 CENTRAL DIVISION, JUVENILE COURT, 2851 MEADOW LARK DR., SAN DIEGO, CA 92123
 EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020
 NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081
 SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910

The attached <u>REQUEST FOR POLICE /ARREST REPORT</u> below. is being returned for the reason(s) indicated

Case Number: CN201633; CN209480; CN241821; UN1959444

he Superior Courf

Clerk of

THE POLICE /ARREST REPORTS ARE NOT PART OF THE CRIMINAL CASE FILE FOR POLICE/ARREST REPORT PLEASE CONTACT ARRESTING AGENCY.

Return this form when you resubmit your document(s) and enclose a self-addressed envelope large enough for all documents, stamped with sufficient postage.

Date: 04/11/2024

Check(s) returned

Returned to Plaintiff Defendant Attorney via:

SDSC ADM-053 (Rev. 2/15)

HALF-SHEET SENDBACK



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Deputy

EXHIBIT #2 PAGE 35/40

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J. VCL	3152(b)				******
UTURE DATES:	baabe.				CATED
Attorney for the People	(DDA)/DCA)	Attorney for t	he Defendant (, PD) ARD (, P	CC / Retained / Couns	eling)
] Defendant present by / with / without c	ounsel 🔲 in pro per 🗍 via	i audio/video 🗌 not	produced in courtroom	Defendant failed to a	opear
4 ··· AMENDMENT WAIVER PRE		PROTECTIVE OK	DER PURSUANT TO PC	136.2 PREVIOUSLY	ISSUED
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Defendant sentenced to serve 90 / 18	0 (365) days in the cu	stody of the Sheriff; 🚺 E	XECUTION OF SENTENCE	IS SUSPENDED for 3	(5yea wew hearin
Violate no laws M misor fraffic violatio	ms excepted.	ar an		ananan ang kanang ka	
Violate no laws Minor fraffic violatic USTODY M Serve Serve FORTHWITH Work Release Detention Facility: Central 14.8 (Consecutive weekends NO Fac	In the custody of the Sheriff;	days suspended	TL days thrs CTS (davs actual day	(S PC4019)
Detention Facility: Central Las	Collnas Devista D Short Term	Work Furlough Serve	consecutive to Concu	rrent with:	
Consecutive weekends INO Ear	ly release INO Work Release	NO County Parole	NO ESP/Home Detention	-	
CONSECUTIVE Weekends NO Ear CUSTODY IN LIEU OF \$ CUSTODY SATISFIED BY CUSTODY SATISFIED BY NES/FEES Attorney Fee \$ av Fine (Ct.) \$ Fine (Ct.) \$ Probation Revocation Restitution I Payments set at \$ Probation Revocation Restitution I Payments set at \$ pe he Court finds the defendant has the ability t	_days_P8WP 🔲 da			residential rehabilitation	on program.
NES/FEES LAttorney Fee S	Add to Fine	Indigent as to Attorne	y Fees		
Fine (Ct.) \$	Security Fee S	THE AN	sessment Fee R Fee	\$ ************************************	TOTAL
	Admin Fee \$		spended Amount	š <u>. s</u> . s	UVE.
Provation Revocation Resultation I Payments set at \$ De	-Ine imposed & suspended \$_ r month beginning on	ICU [Ci	edit for days served	\$] eather until noid in full	· · ·
ESTITUTION Pay restitution to the	e victim of \$ to a	be determined D by Pro	bation, payments through 🗌	Court Collections	
Revenue & Recovery 🗋 at \$ See stipulated restitution order. 🔲 (Court retains jurisdiction re: rest	tution Submit to civi	process.	псоруса	I Keview Hr
libi in geovine whole opha	erals /delaigvaint firtre	CONTRACTOR OF THE PERSON AND A	Bare 9. Bare editoribum	· · · · · · · · · · · · · · · · · · ·	· · · · ·
PSWP Call within 72 hrs. to enroll days as condition of probation.	(see reverse) L Enroll by:		ER WORK L at any non-p tion on Court approved list	orofit organization	r is
days in lieu of ☐ fines/fees \$ days credit for time served/compl	I I GBVS CUSTOOV	nours	as condition of probation.	· · · · · · · · · · · · · · · · · · ·	
TOTAL days to be completed		hours	in lieu of I fines/fees \$ credit for time served/comple	days cu ated	istody
One day per week authorized	Out of county work authorized	TOTA	L hours to be completed		wy ^r si
LCOHOL/DRUGS Anot drive with		proof to the Court by	days cus	tody for each day/8 ho	urs missed
r alconovorugs in system. N violate no	laws regarding driving a motor y	/ehide while under fhe ir	fluence or in the possession	of sloopol, drugs, or by	ior detection oth.
🖌 Aostain from alcohol. 🔨 Not frequer	t places where alcohol is the pri	mary source of husinase	aveant in the course of emr	slew arranged	
] Not use or possess any controlled sul ny time with or without a warrant, and w	un or wiincul masonania causa	when required by a Pro-	hallon Officer or other law as	enicle, personal effect forcement officer. (to i	s to search . axo.
J Complete a 🛄 Kesidential 📋 Non-R	esidential treatment program for	days / months. P	roof due by		• •
DUCATION XATTEND AND COM Multiple Conviction Program (SB38) a	nd participate in any treatment (v rehabilitation including	antahusa that may be pere	m hu the remider	
AA / NA / CA / MA meetings, ti	mes per 🛄 week 🛄 month for _	days / mont		as directed by Assesso	ir,
	course C through	П	Out of County author OMPLETION by	mized.	· .
the Court at REVIEW HEARING	G(S) 🗌 Assessment Unit 🔲 A	ND every 30 / 60 /	days THEREAFTER		Second Second
RIVERS LICENSE/VEHICLE	XNot drive without a valid licen	se and liability insurance	VC14607.6 advisal give	n. Generalista da ser	
surance as is required by law. 🛄 Right	to drive is suspended [16 mon	ths 🗍 1 year nursuant to	VC13202 3(a) - (cont. e)	uha \ 🗖 \/C13202 K	Inmane 741
1.LICENSE.10 De sumendered to Ima <i>c</i> au <i>r</i>	IIDV. IIDafanz	lant notitions for a sastric	ted licence 🔲 Odiani need	ستستحدث والتقاطين المعدية	- M m
estriction.	to any DMV suspension/action	mitted tovirom VI work	Court ordered a	ctivities 🔲 in course of	femployme
Jignition Interlock Device ordered for _	yrs., see addendum. 🖸	Not own or operate a vel	nicle without a functioning IID). 🔲 IID not ordered (I.	O.J.).
ISC. Property impounded/seized b Defendant has provided DNA databas	e samples – PC296(f),	custody of the court is o	rdered disposed of pursuant	to that agency/court p	olicy.
EFERRALS Report forthwith	by to Ass	essment Unit [BAC: .]	Probation Dept. re:		Ding
Court Collections 🔲 Revenue & Rec	overy and comply with addition	al conditions of probation	n imposed.		
DEFENDANT IS ORDERED	TO APPEAR ON	AT	IN DEPT	-FOR: EXHI	BIT #2
Review regarding		enrollment Comore	ss 🗌 completion. 🗋 prob		
Set with case(s):	Lund	r revocation with this ma	The second se	waters were consultable in the	uu duuva.

				24 MAY 15 AM 12: 37
	SUPE & COUR	T OF CALIFORNIA, COU		
Central Division	East County Division	North County Division		
OPLE vs. MISKELL	CHRISTI	L STATUS: WT	s_0000000	BB CCB (Y/N)
SE # CN201633 PROS	s. # DC	DB; BKG	#	CTS: Cath on F
TE: 11/01/05 AT 8:	DEPT. # 014 #	NIERPREIER:		
		. TI STIP. FILE	D REPORTER - CSR #	DEA BOOMON
ERK C. CLEDDEL	Ľ	TAPE #	COUNT	ER ICER ASAR
ARGE(S):	2(A) 2) *YC	23152(B)		
TURE DATES:	1 b 4 C 4 D 4 4 6 9 6 9 6 4 5 6 9 4 8 6 7 9 7 8 6 7 8 7 8 6 7 9 7 8 6 7 9 7 8 6 7 9 7 8 7 8 7 8 7 8 7 8 7 8 7 8		- ^	
K. WATANADZ	· · · · · · · · ·			inter
Attorney for the Des	ple DDA DCA)	Atternatio	ing the Defendant (PD) AP	D/PCC / Retained / Counseling)
Automey for the Peo	DIA DON JOCH I			
Defendant present by / with / witho				
				O PC136.2 PREVIOUSLY ISSUE
se called for DFTA Arra	ignment 🗌 Ball Review	N 🔲 Readiness/DWT 🔲	Jury Trial 🗌 Prelimina	ry Examination 🔲 Motion
DEJ				ective Orden Expires:
CE TOANGEEDDED TO DED		arrant Ordered/Issued on	-27-03 U War	rant Cleared Warrant Outstanding
ASE TRANSFERRED TO DEP Complaint amended by interlineati		TIME ESTIMATE:		n a a second contraction of the second contract of the second contra
Amended Amendment to com	plaint filed I charging	adding C VC23103 (a) purs	want to VC23103.5 TVC	22107, VC21658(a), PC647(f)
as INFF	ACTION(S) pursuant to PO	C17(d)(2). dother:		
Defendant advised of and waives t	he right to a separate and	conflict-free attorney / inter	rpreter for this court appear	rance.
Defendant duly arraigned and adv	sed of the constitutional :	and statutory rights as indic	ated on the reverse side of	this minute order".
Acknowledgment of advisal of con Defendant waives reading of comp DEFENDANT PLEADS NOT GUI	situtional rights signed and		ineo copy or complaint.	on complaint [line]
DEFENDANT PLEADS NOT GUI	LTY and denies any priors/	allegations/separate convictio	ins alleged I on amended	complaint.
Defendant WAIVES:	o for speedy trial 🔲 10 da	ay/60 day statutory time for pr	eliminary hearing 🔲 perso	nal presence D per PC977.
jury	trial. Dipreliminary hea	ring	· · · · · · · · · · · · · · · · · · ·	
OUNSEL PREQUEST FOR APPOI	NTED ATTY. Granted	Public Defender 🔲 Alterna	te Public Defender 🔲 Priva	ate Conflict Counsel
y <u>ı</u>	Denled 🗌	Referred to Near Indigent Pa	nel 🔲 Deft to retain couns	el.
The Court finds the defendant				filed.
ONVICTION Deft. is evern a FENDANT PLEADS: GUILTY	nd examined.	it withdraws any previously en	stered plea.	EVC23152(a)((b).)
Admits	enarate conjunction(e)	allaged/ 130	641	allegation(s)
charges contained in amended/am	nendment to complaint.	V23103(a) per 23103-5	a lesser incimient ritense	of
On motion of CoustPeople/Defend	lant Count(s)	fremal	ining k/are DISMISSED	FOJ VOP
On motion of Cout/People/Defend On motion of Cout/People/Defend Plea form executed and filed F	lant Allegation(s)/Prior(s)	rema	Ining Is/are STRICKEN	
Plea form executed and filed	eo vs. West 📋 BAC:	I2 VC23593 advisal gi	ven 🔲 PC666 advisal give	ən
WAIVERS: Harvey Arbuck PC1210 accepted declined	Dime waived for sent	as a knowing and intelligent w	valver of constitutional rights	s and factual basis for the plea.
Stipulated bindover. Case certi	fied as a general jurisdictio	n matter. C Complaint deem	ned the Information.	
Defendant to provide DNA databa	se samples as directed by	Sheriff or Probation Dept P	C296(a).	r e la rec
OTIONS D Motion for		b	v People/Defendant with/wi	thout objection granted/denied.
C1000 🔲 Defendant's applicatio	n for C reinstatement to C	Deferred Entry of Judament	granted as to count(s)	for mo./ vrs.
New term [] Time waived for ser	stencing 🔲 S.D. Rescue	Mission Program 🔲 Enroll b	w П.Т.	erm to be determined by Assessor.
\$ Admin. fee (PC1)	001.15) 🔲 \$	DEJ Restitution fee (PC10	001.90). Comply with all on	ders of Assessor.
S credit for time served	TOTAL AMOUNT DUE	S Forth	with 🔲 By	Waived.
Defendant has satisfactorily COM Defendant has FAILED to satisfac	torily perform in the DE LP	previously entered plea to co	Set aside	and charges dismissed.
Court makes a finding of guilt to th	e charge(s) pled.	waived for sentencing, see J	UDGMENT.	rang alereto deleteo.
EFERRALS Report D forthwi			Juit D Probation Departme	ant -
Pre-Sentence T Mini T Supplem	nental 🔲 Psych. 🗌 Limited	d re: Drugs / Alcohol / Domest	Ic Violence / Anger Manage	ment / Restitution Report Ordered.
	Attorney fee * \$	Indigent as to	Attorney Fees	*
Court Collections for payment of J		San Dierin for the costs of Court		
Court Collections for payment of the Court finds that the defendant has the	e ability to repay the County of			
Court Collections for payment of the Court finds that the defendant has the HEARINGS Set/continued on n	e ability to repay the County of notion of People Def	ense 🔲 Opposed 🔲 Unoppo		Statutory time is WAIVED
Court Collections for payment of the Court finds that the defendant has the HEARINGS Set/continued on n	e ability to repay the County of notion of People Def at in C	ense 🗌 Opposed 🔲 Unoppo Dept 🔲 Motion/	PC1538.5	at in Dept
Court Collections for payment of the Court finds that the defendant has the HEARINGS Set/continued on n Re-Attorney Arraignment	e ability to repay the County of notion of People Def at in C at in C	ense 🗋 Opposed 🗋 Unoppo Dept 🗍 Motion/ Dept Jury / C	PC1538.5	atin Dept atin Dept
Court Collections for payment of the Court finds that the defendant has the HEARINGS Set/continued on n Re-Attorney Arraignment Bail Review	e ability to repay the County of notion of Depele Def atin D in D in D	ense Opposed Unoppo Dept. Opt. Juny / C Dept. Senten	PC1538.5 Jourt Trial	atin Dept atin Dept atin Dept
Court Collections for payment of he Court finds that the defendant has the HEARINGS Set/continued on no Re-Attorney Atraignment Bail Review Readiness/DWT	e ability to repay the County of notion of Dependent Def at in D at in D at in D at in D	ense Opposed Unoppo Dept. Oppt. O	PC1538.5 court Trial	at in Dept at in Dept at in Dept at in Dept
Court Collections for payment of he Court finds that the defendant has the HEARINGS Set/continued on no Re-Attorney Arraignment Bail Review	e ability to repay the County of notion of Dependent Def at in D at in D at in D at in D	ense Opposed Unoppo Dept. Opt. Juny / C Dept. Senten	PC1538.5 court Trial	at in Dept.

EXHIBIT #2 PAGE 37/40

CUSTODY STATUS Deft. REMANDED to custody of Sheriff, bail \$_____ WITHOUT BAIL Per Deft. RELEASED: Don bail previously posted. Bail Unit Report Ordered re: SOR Deft. RELEASED: Don bail previously posted. after booking: DEJ OR/SOR same terms and conditions to an authorized representative of: ______ AA/CA/NA/MA More, ner week and submit previously posted. After the same terms and conditions.

WITHOUT BAIL Per PC1275 as set

ະ ເພື່ອ ເພື່ອງ ເພື່ອ	2024 MAY 15 AM 12:39 W152
SUPE R COURT OF CALIF	ORNIA, COUNTY OF S
Central Division East Councy Division North C	County Division Sourd Sourd Sourd Source Division Walvers: Time
CASE # CN201633 PROS. # DOB:	BKG # 05716785 CTS: days hrs.
DATE: 05-02-08 AT 01:30 DEPT # 005 INTERP	Spanish Sworn Cath on File
JUDGE/COMM/PRO-TEM: DANIEL B. GOLDSTEIN	STIP. FILED. REPORTER-CSR# N BLACKEWill
CLERK KMOUN	TAPE #COUNTER #
charge(s): 2/1#VC23152(8) いしつれのと	284TH DAV+ IVRS
FUTURE DATES: Buenda Duly Attorney for the People (DDA / BCA)	Poul C. Kinchen B 25-20 94
Attorney for the People (DDA / BCA)	Attorney for the Defendant (PD) APD / PCC / Retained / Counseling)
🗶 Defendant is present by 🗶 with) / without counsel 🔲 in proper 🛄 via au	udio/video Defendant 🛄 is not produced in courtroom 🔲 failed to appear
	ROTECTIVE ORDER PURSUANT TO PC136.2 PREVIOUSLY ISSUED
Probation: Expires: Was revoked on dolo 400 01	WARRANT Ordered/Issued on
FOR FAILURE TO C ENROLL/COMPLETE: SUBMIT PROOF	
Assessment Pay (balance of) fine/restitution fine/fee \$	days/hrs custody stayed pending completion of
Report for days/hrs custody Balance of days PSP P h	hrs. Vol Wk. 1 as condition of probation 1 in lieu of \$ fine
In lieu of days PSP CISTAR CIMADD CIECP () 101 MCP 2014	AllWAIDS Teet Regulte C Sale of Vehicle/IID C Jacurence C Dave Tection
AAVNA Mtgs (for # completed) Anger I PRRF \$ suspended 7 aver 920 aver 10 22 3	Mgmt (hr.) Parenting () Shoplifters HIV/AIDS Educ.
Defendant advised of rights, admits denies violation of probation	
PROBATION I remains summarily formally REVOKED REINSTA	ATED TERMINATED CONTINUED same terms and conditions
Defendant sentenced as follows: Condition SATISFIED	
COUNSEL Court appoints counsel: Rublic Defender	for hearing.
Sono FORTEMITH I Wat Palace and the start days suspend	ted CREDITS: 109 days hours (43 days actual 3 (days PC 4019) ate. Book & Release Report onat
to: Detention Facility: Contral Las Colinas Vista Short Term Work	Ite. Book & Release Report on at
LI COnsecutive weekends LI NO Early release 1 NO.Work Release TI NO	O County Parole I NO ESP/Home Detention
LICUSTODY II IN LIEU OF II S fine at \$50.00/\$. per d	
LI CUSTODY SATISFIED BY	residential rehabilitation program.
days custody stayed pending successful completion of probation FINES/FEES Suspension lifted on the Probation Revocation Restitution Fi	L review hearing.
Civil Assessment A remains reduced to \$ balance	ce suspended I deleted I release abstract to iscue
PREVIOUS BALANCE	
days/hrs D PSP Volunteer Work reconverted to fine	Belance at \$per month beginning onand on the of each month
Court administrative fee waived add to fine	and on the of each month
Credit for days/hrsCustody Volunteer Work PSP	completion of probation
LJ Attorney ree LJ Indigent as to Attorney Fee LJ Add to Fine*	Court Collections Credit Agency
TOTAL DUE	Court Collections Credit Agency
RESTITUTION They restitution to the victim	for costs of Court Appointed Attorney fees. This order is not a condition of probation.
directly to the victim and show proof to the court D by	at \$ per month beginning at Review Hrg. I through Court Collections Revenue & Recovery
	Order: LI Count retains jurisdiction ret restitution. LI Submit to civil process
PUBLIC SERVICE PROGRAM (PSP) Re-assignment	VOLUNTEER WORK
Call within 72 hrs. to enroll (see reverse) Enroll by	at any non-profit organization at organization on Court approved list
days in tieu of Li Tines/Tees S Li days custody	Lat organization on Court approved list Li Other;
One day per week authorized	hours credit for time served/completed TOTAL hours to be completed
Consecutive to /concurrent with	he Court by days custody for each day/8 hours missed
ALCOHOL/DRUGS Abstain from alcohol.	
DUCATION/TESTING TIREASSIGN TI Attend while in quetody TI Out	of county authorized E First Conviction Program 3/6/9/12 month
Educational Component only. Multiple Conviction Program STAR Parenting Class (sessionshours) 8 hr. Traffic/Repeat Offender AA (NA / CA / MA meeticate times are 20 hours) 18 hr. Traffic/Repeat Offender	MADD Safe Boating Class Anger Mgmt.
☐ Parenting Class (sessionshours) ∐ 8 hr. Traffic/Repeat Offende ☐ AA / NA / CA / MA meetings,times per ☐ week ☐month forday	er Traffic School Schoplifting Course Call within 72 hours to enroll.
Complete residential non-residential treatment program for	days/months.
Complete residential non-residential treatment program for Submit to Sheriff ordered to administer HIV/AIDS TEST pursuant to P	C1202.1. PROOF OF Test Results
I POBOODEOO	
the Court Dat REVIEW HEADING(S) DAmonster Late CLAND	Very ou / ou / ou / and the le constant with DMM and defendent has Kability
to the LI Court LI at REVIEW HEARING(S) 🔲 Assessment Unit 📋 AND ev	
to the LLCourt L at REVIEW HEARING(S) Assessment Unit AND ex DRIVERS LICENSE License is suspended by law and detendent may not insurance as is required by law. Defendant petitions the Court for a restricted	d license. Court finds a critical need to drive.
to the LLCourt L at REVIEW HEARING(S) Assessment Unit AND ex DRIVERS LICENSE LICense is suspended by law and detendant may not nsurance as is required by law. Defendant petitions the Court for a restricted Petition granted denied. D License is restricted suspended for	d license. Court finds a critical need to drive.
ENROLLMENT PROGRESS PROGRESS PROGRESS Process Process	d license. Court finds a critical need to drive.
to the LLCourt L at REVIEW HEARING(S) Assessment Unit AND exponded by law and detendant may not DRIVERS LICENSE License is suspended by law and detendant may not nsurance as is required by law. Defendant petitions the Court for a restricted Petition Granted denied. License is restricted suspended for school court ordered activities in course of employment. Restriction of	d license. Court finds a critical need to drive. discense. Court finds a critical need to drive. days consecutive to and from work consecutive to any DMV suspension/action. Abstract to issue. addendum. Not own or operate a vehicle without a functioning IID. EXHIBIT #.
to the L_Court at REVIEW HEARING(S) Assessment Unit AND ex DRIVERS LICENSE License is suspended by law and defendant may not nsurance as is required by law Defendant petitions, the Court for a restricted Petition granted denied License is restricted suspended for school court ordered activities in course of employment. Restriction of Indicate the set ordered for yrs not ordered (I.O.J.) see i Defendant sworn, states he/she does not own a vehicle. REFERRALS Report forthwith by	d license. ☐ Court finds a critical need to drive. ☐ days ☐ months ☐ years. Defendant may drive to and from ☐ work consecutive to any DMV suspension/action. ☐ Abstract to issue. addendum. ☐ Not own or operate a vehicle without a functioning IID. EXHIBIT #] release ☐ return to U.S. to: ☐ Probation Dept. re: PAGE 38/4

	2024 MAY 15 AM 12: 39
	SUPE & COURT OF GALIFORNIA, COUNTY OF S. JEGO
**********	Central Division East County Division North County Division South County Division Walvers:
P	EOPLE VE MISKELL CHRISTI L STATUS
	ASE #CN209480 PROS. # DOB: BKG #06705557 CTS:_ 5 days 2 hrs.
	ATE: 04-05-06 AT08:30 DEPT. # 001 INTERPRETER:
6	UDGE/COMM/PRO-TEM: RECHARD E. MILLS
	LERK: TAPE # COUNTER #
~	\sim
q	HARGE(S))+VC23152(A) 2) +VC23152(B) 3) PC243(B)
	UD HZ WW 23546 + VC23578
F	UTURE DATES UT LICONFIRMED VACATED
-	Mallant P.D.M. Jackels B 20-53 50 M/
· · ·	Attorney for the Defendant (PD/ APD / PCC / Retained / Counseling)
, c	Defendant present by with / without counsel 🔲 in pro per 🔄 via audio/video 👘 not produced in courtroom 🗍 Defendant failed to appear
	4 TH AMENDMENT WAIVER PREVIOUSLY ORDERED. PROTECTIVE ORDER PURSUANT TO PC136.2 PREVIOUSLY ISSUED
ġ	ase called for 🖸 FTA 🗋 Arraignment 🗋 Bail Review 🕅 Readiness/DWT 🛄 Jury Trial 🛄 Preliminary Examination 🔲 Motion
Ĺ	DEJProtective Order Expires:
ē	ASE TRANSFERRED TO DEPT TIME ESTIMATE:
ĝ	. Complaint amended by interlineation to read
ł	Amended Amendment to complaint filed charging adding VC23103 (a) pursuant to VC23103.5 VC22107, VC21658(a), PC647(f)
č	as INFRACTION(S) pursuant to PC17(d)(2). to then:
ļ	Uperendant duly arraigned and advised of the constitutional and statutory rights as indicated on the reverse side of this minute order?
ľ	Acknowledgment of advisel of constitutional rights signed and filed.
Ì	DEFENDANT PLEADS NOT GUILTY and denies any priors/allegations/separate convictions alleged I on amended completed
0	L Defendant WAIVES: Littine for speedy trial 10 day/60 day statutory time for preliminary hearing D personal presence D per PC977
	Li jury mai.
-	COUNSEL REQUEST FOR APPOINTED ATTY. Granted Public Defender Alternate Public Defender Private Conflict Counsel
E	I the Count finds the detendant [] is [] is not, qualified to represent self in PRO PER. [] oney Walver signed and filed
- C	CONVICTION Deft. is swom and examined Z Defendant withdraws any previously entered also
ġ	Admits C 2546 X2 separate conviction(s) alleged/
	Contrained in amended/amendment to _complaint. □ V23103(a) per 23103.5 □ as a lesser included offense of remaining is/are DISMISSED □ FOJ □ VOP □ Con motion of Court/People/Defendant Count(s) remaining is/are DISMISSED □ FOJ □ VOP □ Con motion of Court/People/Defendant Allegation(s)/Prior(s) remaining is/are STRICKEN □ FOJ □ VOP □ Price from executed anothed □ Peo vs. West □ BAC: VC23593 advisal given □ PC666 advisal given WAIVERS: □ Harvey. □ Arbuckle □ Blakely. □ Court finds a knowle and intelligent
Ē	Plea form executed and filed D Peo vs. West D BAC:
Ļ	PC1210 accepted declined. Time waived for sentencing, see JUDCMENT.
<u>.</u>	Defendant to provide DNA database samples as directed by Sheriff or Probation Dept. – PC296(a).
	NOTIONS Motion for
2	C1000 Defendant's application for C reinstatement to C Deferred Entry of Judgment granted as to appreciate the second
	J Town to LJ Tune waived for sentencing . 1 15.0. Rescue Mission Program 1 1 Familieu
Ē	s credit for time served TOTAL AMOUNT DUE \$
Ę	J Detendant has satisfactorily COMPLETED the DEJ Program previously entered plop to countral
	Defendant has FAILED to satisfactorily perform in the DEJ Program. PC1000 set aside and any unpaid fees pertaining thereto deleted.
- 8	EFERRALS Report 1/ forthwith T by
	Pre-Sentence Li Mini Li Supplemental Li Psych. Li Limited re: Drugs / Alcohol / Domestic Violence / Anger Management / Restitution. Report Ordered
1	Court Collections for payment of Attorney fee * S Indigent as to Attorney Fees.
- más	HEARINGS Set/continued on motion of D Popolo D Dofesso D Court Appointed Attorney fees.
	HEARINGS Set/continued on motion of People Defense Opposed Unopposed By Stipulation, Statutory time is WAIVED at in Dept Motion/PC1538.5
4	L'Arraignment at in Dept.
÷	Ball Review at in Dept P Sentencing 5-03-06 at 830 in Dept.
• *	at in Dept Prob. Hrg& Sent at O in Dept.
- 	Image: Dept definition Image: Dept definition Time Estimate: hr/day Set with case(s): Image: Dept definition
ō	THER Verbal notice of license suspension (DL 310) signed. Fingerprint form filed.
	a second s
	en en en en el segui processe de la segui plane propinse en el sector de la segui de la segui de la segui de la
*	
5.4	EXHIBIT #2 PAGE 39/40
، جز	
- I	USTODY STATUS Deft. REMANDED to custody of Sheriff; bail \$ WITHOUT BAIL Per PC1275 as set
Z	Deft, RELEASED: On ball previously poeted. Deft hereining O DE NEW Poeter
	to an authorized representative of

201171. NS & V L L SSA 174 1.41	
2024 MAY 1.5 AM 12: 40	MALLE AMID. DO
SUPE 3 COURT OF CALL	FORNIA, COUNTY OF S EGO
Central Division D East Country Olvision W North	County Division Division Waivers:
PEOPLEYS NISKELL CHRISII	STATUS: CUST S BB CC8 (Y/N) BKG # 06705557 CTS: days hrs.
CASE # CN209480 PROS. # DOB:	BKG # 06705557 CTS: days hrs.
02-02-08 01:30 005	
SUDGERGOWWITTOP I EMD	STIP. FILED REPORTER-CSR # N Reaction
CLERK FMOOR	TAPE #COUNTER #706 6
9 AVC 23152/ R) 11/1032 6.14	
CHARGE(S):	136TH DAY+ IYRS
FUTURE DATES	POD C LA CATED
Jense fally	Canalin
Attorney for the People (DDA / DC/r)	Attorney for the Defendant (PD / APD / PCC / Retained / Counseling).
4 th AMENDMENT WARPPOPERVIOUSLY OPDEPED	ROTECTIVE ORDER PURSUANT TO PC136.2 PREVIOUSLY ISSUED
Probation: Expires:	WARRANT Ordered/Issued on CLEARED OUTSTANDING
- Vase udied for I Lex-Parter Warrant I Review I Restitution 1	OSCI Fuid Broh Bougostion 54 Cant Attas Davas UCADIMO
LI FOR FAILURE TO LI ENROLL/COMPLETE: CI SUBMIT PROOF	OF: CREPORT TO: CREQUEST STAY/REASSIGNMENT TO:
Assessment Pay (balance of) fine/restitution fine/fee \$	days/hrs custody stayed pending completion of
Report for days/brs custody Relance of days PSP	Image: Civil Assessment \$ hrs. Vol Wk.
L in lieu of days PSP STAR MADD FCP () STAR	HA/DADS Tast Results C Sale of Vahida IID C Insurance C Dave Tasting
□ AAMA Migs (pertor #completed) □ Anger	Mont (hr.) Parenting () Shoplifters : HIV/AIDS Educ.
Defendant advised of rights. D admits D denies, violation of probation.	and unliver backfort [7] Court finds deft in ideal differ of each attention
PROBATION remains summarily formally REVOKED REINST MODIFIED as follows EXTENDED/TOLLED to:	ATED TERMINATED CONTINUED Are terms and conditions
MODIFIED as follows EXTENDED/TOLLED to: Defendant sentenced as follows: Condition SATISFIED	new grent, see JUDGMENT
L Condition SATISFIED	
COUNSEL Court appoints counsel: Public Defender days suspen	for hearing.
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Page 1 of 1. 0 total matches.	
Search Parameters	
Govt. Number:	
Date of Birth	
First Name: Christi	
Middle Name: Lynne	
Last Name: Smith	
Sex: F	
Commission:	
License Type:	
Master ID Last Name First Name Middle SSN/ Name	Federal ID Rulings Birth Date City State

Licensees Rulings Horse Tracking Bulletin Board Preferences Log Off

EXHIBIT #4 PAGE 1/5

State of Florida

Florida Department of Business & Professional Regulation

Department of Business and Professional Regulation Chronology Report

Case #:	2024032775			ate: 01/17/2024	Status: 106 - Sent to	Directors office				
Lic Type:	1021		Disposition:							
Case Type:	Complaint									
Responsible:	le: Itrombetta - TROMBETTA, LOUIS									
Complainant:	DIVISION OF P	ARI-MUTU	IEL WAGERING							
	1400 W COMM	ERCIAL BL	_VD, STE 16	5, FORT LAUDEF	RDALE, FL 33309					
Respondent:	SMITH, CHRIST	ΓIE L								
	1817 OAK TRAI	IL W #102,	CLEARWAT	FER, FL 33764						
Summary:	320 - TAMPA BAY DOWNS, INC									
Chronology:	Effective Date	Туре	Lic Type	Code	Description	Responsible Party	Respondent			
	06/06/2024	А	79	440	Incoming Correspondence	cstubbs1	SMITH, CHRISTIE L			
	06/07/2024	А	10	15	Assigned to Investigator	lmoore	SMITH, CHRISTIE L			
	06/17/2024	А	10	50	Interview Respondent	lmoore	SMITH, CHRISTIE L			
	06/12/2024	А	79	435	Telephone	lmoore	SMITH, CHRISTIE L			
	07/22/2024	R		ltrombetta	TROMBETTA, LOUIS	charris				
	07/19/2024	R		charris	HARRIS, CYNTORIA	cstubbs1				
	07/19/2024	R		bjones	JONES, BRADFORD	bjones				

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July 22, 2024 10:20

nfa5 - Chronology Report

Page 1 of 2

Florida Department of Business & Professional Regulation

State of Florida Department of Business and Professional Regulation Chronology Report

Chronology:	Effective Date	Туре	Lic Type	Code	Description	Responsible Party	Respondent
	06/07/2024	R		Imoore	ROUNDS, LEEANN	cstubbs1	
	06/07/2024	S	1021	20	Under Investigation	cstubbs1	
	07/19/2024	S	1021	116	Sent to Legal	cstubbs1	
	06/07/2024	S	1021	10	Initial Review	cstubbs1	
	07/19/2024	S	1021	90	Closed	cstubbs1	
	07/22/2024	S	1021	106	Sent to Directors office	charris	
	07/19/2024	S	1021	165	Supervisor Review	bjones	
Allegation:	Code	Descriptio	n				
	WAVR	Waiver of C	rim. Conv.	or Other Offenses			
Violation:	Code	Description			I	Respondent	
	WAVR	61D-5.006			SMITH, CHRISTIE L		

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July 22, 2024 10:20

nfa5 - Chronology Report

Page 2 of 2

p						,		FAQ	Help Sign Out
VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcemer	nt Report
Complaint Search Change Recording License Type Delete Complaint Mass Activity Update Mass Discipline Update Mass Status Update Public Case Info Mass Status Update Mass Status Update									
Domain 10 -	Division o	f Pari-Mu	tuel Wagering					Logge	d in as: cstubbs1
VR Home >	Complaint	Search >	• Maintain Con	nplaint					
Lic Type 1021 - Pari-Mutuel Wagering Individual Status 116 Sent to Legal Status Date 07/19/2024									
Complaint #	20240327	75 C	ase Type CMP Com	- olaint ^D	isposition		[Disposition D	ate
Docket#		Re	SMIT spondent CHR L		sponsible	charris HARRI CYNTC	S,		Private Case
Complaint	Respo	ndent	Complainant	Addt'l Infe	þ				
Source	LIC - Lice	ensee	Security Le	evel 1			Parties		Activities
Form	WALK - V	Valk-in	Pric	rity 1		\checkmark	Allegations		Discipline
Class'n	IIIB - Wai	vers	Comple	xity R - Re	egular		Violations		Compliance
Security	STND - S	tandard	Incid	ent 01/17	/2024		Related		Disposition
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Reference	Region						Costs		
Entered	06/07/202	24	Entered	By cstub	bs1		Time Trackin	g A	uto Assign
Summary	320 - TAN	MPA BAY	DOWNS, INC				Attachments		History
Updated	07/19/202	24 14:58:3	30	By cstub	bs1		Work Notes	F	Print Report
		Change	S	ave	C	ЭК	Can	cel	Back

Get Adobe Reader.



JULIE I. BROWN, COMMISSIONER CHUCK DRAGO, COMMISSIONER JOHN D'AQUILA, COMMISSIONER

2024 HA

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EXHIBIT #4 PAGE 2/5

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January 31, 2024

Ms. Christie L Smith 1817 Oak Trail W #102 Clearwater, Florida 33764

RE: Application No. 250506, Entity 13869202 1021 - PMW Professional Individual Occupational

Dear Ms. Smith:

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

Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 3 of the application. If you have ever been convicted of or had adjudication withheld for any crime or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records. Please initial and date any changes made to your application.

You must list the information on your application, provide court disposition records and arrest reports for the following charges:

- Orange County, CA 04/11/1984
- San Diego County, CA 03/12/1995, 09/12/2005, 03/25/2006, 02/08/2008,

*/ 05/14/2008, 12/27/2008

- 9 Madera County, CA 03/18/2009
- Wayne County, MI 01/18/2019

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.

OFFICE OF OPERATIONS 4070 Esplanade Way Suite 250 TALLAHASSEE, FLORIDA 32399 If you fail to provide the Florida Gaming Control Commission with a complete application by 05/30/2024, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

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.

Additionally, if needed, any individual or business applicant may request a waiver of disqualifying factors in an application that would otherwise be grounds for denial. DBPR PMW 3180 - Request for Waiver and DBPR PMW-3195 - Request for Release of Information and Authorization to Release Information (forms enclosed). The Division will process a request for waiver upon receipt of a complete application.

024 MAY 15 AM 12: 35

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EXHIBIT #4 PAGE 3/5

Thank you,

TL Operations Analyst II

RECEIVED

Christie Smith Application No. 250506, Entity 13869202 1817 Oak Trail W #102 Clearwater, FL 33764

2024 HAY 15 AM 12: 35 FLORIDA GATTING CONTROL COMMISSION

Florida Gaming Control Commission Office of Operations 4070 Esplanade Way, Ste 250 Tallahassee, FL 32399

Operations Analyst,

Enclosed are the documents requested and application needed to obtain my race horse owners license for the State of Florida. Four of the Court Dispositions requested are either unavailable, do not exist and/or are not mine with Certified Statements enclosed. They go back to over 15 to 40 years with the exception of a 2019 arrest for DUI. Please note my maiden name was Christie-Rini from 1962 to 4-26-1982. On 4-27-82 my married name was Christie Miskell till 4-19-98 when I remarried and it changed to Christie Smith and still is. I will outline per below:

4-11-1984 Orange County, CA Miskell: No records found 40 years ago, I do not know what this is. Certified Record Search Letter provided.

3-12-95 San Diego County, CA Miskell case #CN034298 records unavailable 29 years old, I do not know what this is: Record Search Letter provided.

9-12-2005 San Diego County Miskell case #CN201633 DUI Misdemeaner, not sure what the sentence was 19 yrs ago. Disposition Record provided.

03-25-06 San Diego County Miskell case #CN209480 DUI Misdemeanor, not sure what the sentence was 18 yrs ago. Disposition Record provided.

02-08-08 San Diego County Miskell case# SCN241821 DUI Felony priors, Prison 18 months: 9 months time served, released satisfied. Disposition Record provided.

12-27-08 San Diego County Miskell/Smith case #SCN255966 DUI Felony priors, Prison 3 years: 18 months time served, released satisfied. Disposition Record provided.

05-14-08 Madera County, CA not mine, was in Prison. Certified Record Search Letter provided: 03-18-09 Madera County, CA not mine, was in Prison. Certified Record Search Letter provided. NOTE: California does not keep any arrest records after / veges unloss in results in domas

01-18-19 Wayne County, MI Smith case # 19-001448-01-FH DUI Felony priors. Sentence: 30 days work release, fines; probation. Since it was 11 years since the last DUI, the Judge ruled accordingly due to the time frame, job security I had, and my explanation as to what happened the night before my birthday with great remorse, shame and guilt. Disposition Record and Arrest record provided.



On June 5th, 2005 my only sister and best friend passed unexpectedly and my world would be forever changed. I grieved inappropriately and it cost me dearly throughout the years of 2005 -2008. My actions were totally irresponsible and I turned to alcohol until I was released from Prison in June 2010. I moved back to my birth state to turn my life around and did so successfully, until 11 years later when I made a terrible decision to drink and drive. This was a Huge mistake and I thought it would cost me everything I had worked so hard for, but by the grace of God I was able to continue working per the court order, do community service and probation. It has been over 5 years since that last conviction and I had listed it on my application on 1-12-24.

Presently I am 62 years old and have recently moved to Florida to semi-retire and get back into racing as an Owner. It has been my lifelong dream as my family and I had race horses in Michigan as a child and California shortly after. Through all of these mistakes I take Sobriety and turning one's life around very seriously. This has been a journey to which I hope to be able to lift others up and include the horses that are Amazing in so many ways. If there is anything further you may need, please contact me and I will do my best to get it to you. The included my sister Vicki's Memorial Card so you can see when she passed. It has been in my wallet for 19 years.

Thank you,

hristie me Christie Smith



RECEIVED 2024 MAY 15 AM 2: 35 CONTROL CANING

> EXHIBIT #4 PAGE 5/5

/R Home > Complaint Search > Maintain Complaint > License Home License Fed Tax # Port Fee Tax # File # 73818 Name SMITH, CHRISTIE L License # Rank Address Street # 1817 Street # No Birth Date Type # Modifier 1 TBR0 - Thoroughbred 01/12/2024 1 1 Street # Street # 1 Street # 1 Street # 1									FAQ H	-lelp Sign (
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Address Street # 1817 Notes "New Applicant Address Routing Type # Modifier Street # 1817	License Sea	irch Er	ntity Search	Modify I	.icense Standi	ng M	aintain Lice	ense CE Cont	rol	
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Ebonie Lanier

From:	Christie Smith <christilsmith233@hotmail.com></christilsmith233@hotmail.com>
Sent:	Tuesday, December 10, 2024 4:58 PM
То:	Renee Harkins; Ebonie Lanier; Emily.Alvarado@flgaming.com
Subject:	Informal Hearing 12-17-24 Case# 2024-032775
Attachments:	FGCC Anna Najam.pdf; FGCC Jim Morgan.pdf; FGCC Sommer Baker.pdf; FGCC Dawn Mann.pdf; FGCC Sharon Young.pdf

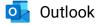
Afternoon,

I would like to attend the hearing via Video Conference on 12-17-24. Attached are character references with contact information. Also, I will be calling as an oral witness to testify on my behalf, Mike Smith who is a Prominent Jockey based in California, during the video hearing.

Please let me know if this is sufficient and what time the hearing will take place.

Thank you,

Christie Smith 248-242-1223



Reference Letter

From Anna Najam <anna.najam@gmail.com>
Date Sun 12/8/2024 10:55 AM
To christilsmith233@hotmail.com <christilsmith233@hotmail.com>

December 8, 2024

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

RE: Letter of character reference request

Dear Mr. Tombetta,

This letter is being written on behalf of Christie Smith, who is seeking an Owners License for horses in the State of Florida.

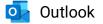
I met Ms. Smith through our mutual love of horses on Facebook and our both having microshare ownership with the company, My Racehorse. I know of her love for these horses. We have had many conversations about her growing up with them and her dream of one day being an owner. She also knows the ins/outs of ownership through her childhood experiences of how to care for them. She is not just someone coming into the industry, but someone who has deep and extensive experience in ownership through her mom and is a great horsewoman in her own right. She also has connections to many people in the industry that cannot just be given but has been earned through her presence in the industry during her lifetime. Mike Smith comes to mind.

Now, to address the reason you are requesting this letter; her character. Christie may have had difficulties in her own past, but she has also overcome them. She exhibits an example to others of coming back from depths of which some will never understand and becoming what she knew she could be in life. That is someone who deserves our respect and who deserves a chance to move in the right direction in life. I don't think anyone is in a position to judge anyone for their past, but to look at the person in their current situation. She loves these horses and would make an amazing owner, keeping the horses needs first and foremost in whatever the situation that is presented for them. I would ask the Commission to grant her the license and allow her to truly run with her dream of having her own horse.

I thank you for allowing me the opportunity to give my reference for this amazing woman. And thank you for your time and consideration in my reference for her.

Respectfully,

Anna Najam 4900 Bottlebrush Lane, Apt 124 Orlando, FL 32808 845-372-9223 (Cell phone)



Fw: Reference Statement

FromChristie Smith <christilsmith233@hotmail.com>DateMon 12/9/2024 2:54 PMTochistilsmith233@hotmail.com <chistilsmith233@hotmail.com>

From: Jim MORGAN <acousticjim@msn.com> Sent: Monday, December 9, 2024 1:35 PM To: Christie Smith <christilsmith233@hotmail.com> Subject: Re: Test

To Anyone Concerned,

In my years of knowing Christi Smith I have found her to be ,on a personal level, intelligent, caring and responsible.

Professionally, I don't know anyone who cares more about horses and the sport of horse racing than her.

I have great respect for this lady and the utmost trust and confidence.

If I can provide any further information or assistance please let me know

Jim Morgan 307-321-7892

Sent from my Verizon, Samsung Galaxy smartphone Get <u>Outlook for Androi</u>d

Dear Members of the Florida Gaming Commission,

I am writing this character reference letter on behalf of Christie Smith. I have had the privilege of knowing her personally for several years, and I can attest to her outstanding character and qualities.

Throughout our acquaintance, Christie has consistently demonstrated unwavering integrity, honesty, and moral character. She is a person of high principles and always strives to do what is right, even in challenging situations. Christies ethical conduct and strong moral compass serve as a commendable example to others. She has used her past to help and encourage others to embrace sobriety. She has helped me tremendously in this aspect of life.

Furthermore, Christie possesses exceptional interpersonal skills and has a genuine compassion for others and especially horses. She is known for her kindness, empathy, and willingness to lend a helping hand. Christie goes above and beyond to support and uplift those around her, creating a positive and inclusive environment in the horse racing industry.

Should you require any further information or have any questions, please do not hesitate to contact me at (313-319-1531) or <u>sommerra217@gmail.com</u>

Thank you for considering my character reference, Christie Smith. I wholeheartedly recommend her Owner license be granted, and she be allowed to showcase her talents as a racehorse owner.

Thank you Kindly,

Sommer Baker 12/09/2024

To whom it may concern:

I've known Christie Smith for over 20 years and all she's talked about is her love for horses and one day owning one.

She loves to visit the horses, and she brings them apples and carrots, and she loves all over them, she can't stop kissing them. There isn't a better person to be a horse owner than Christie Smith.

As a child her mother owned a horse and she loved visiting the Stables helping to take care for them, feed them, brush them, bathe them and love all over them.

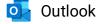
At one point in Christie's life she worked at the track just so she could be close to them, she used to walk them in the mornings. Christie truly loves horses! Yes she has made a few bad decisions in life that we're not the best decisions and they've had harsh consequences, but who hasn't? Christie has been sober for many many years and has learned deeply from her mistakes.

Thank you for allowing me to take this time to speak on Christie's characteristic.

Should you have any questions please feel free to contact me via email at Dawn_mnn@yahoo.com or by phone at (586) 321-5445.

Yours truly,

Dawn Mann



Florida State Horse Racing Board

From Sharon Young <sharonjeanyoung@yahoo.com>
Date Mon 12/9/2024 3:40 PM
To Christie Smith <christilsmith233@hotmail.com>

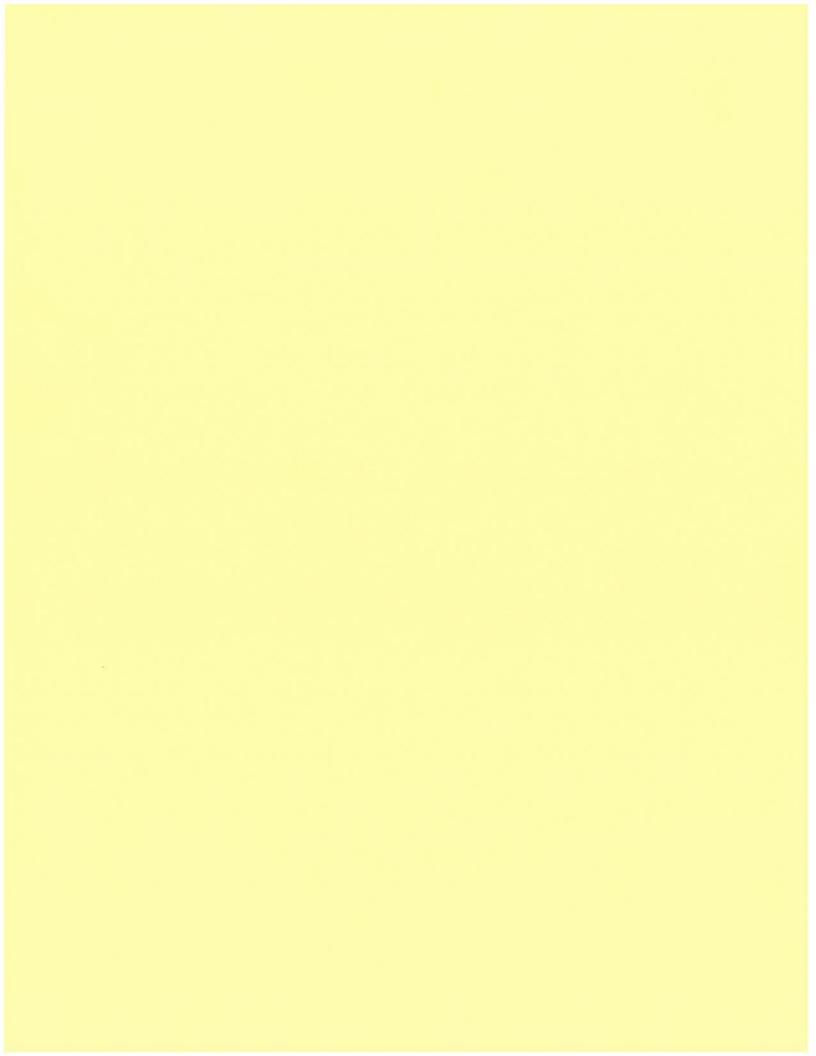
To Whom It May Concern

I am offering my knowledge of Christie L Smith's character and reputation in regard to obtaining an owner's license to own and race horses in the state of Florida. I personally have been licensed and owned horses in two states in my lifetime, and she is very qualified to do just that. She has worked very hard to fulfill this dream of hers.

She is a mature woman, who has worked in both the business and horse racing industry. She has been a home owner and has excellent credit. So she is very responsible, Please hear our plea to grant her this request.

Respectfully yours,

Sharon J Young



MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Justin Hundersmarck, Senior Attorney
Re:	Edward Jung Wong FGCC; Case No. 2024-046235
Date:	February 3, 2025

Executive Summary

Edward Jung Wong ("Petitioner") submitted an application for a slot machine/cardroom/pari-mutuel combination occupational license (the "Application"). Following review of the Application submitted by Petitioner, the Commission issued a Letter of License Denial, notifying Petitioner of its intent to deny the Application based on Petitioner's felony conviction. Petitioner requested an informal hearing, which was held on December 10, 2024. On January 31, 2024, the informal Hearing Officer recommended denying Petitioner's Application. The Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission adopt the Hearing Officer's recommended order and deny Petitioner's application for a slot machine/cardroom/pari-mutuel combination occupational license.

Pertinent Facts

On September 5, 2024, the Commission issued a Letter of License Denial, notifying Petitioner of its intent to deny the Application based on Petitioner's felony conviction. Specifically, Petitioner was convicted of:

Possession of Cocaine

On September 12, 2024, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes. At the informal hearing held on December 10, 2024, Petitioner testified to the circumstances that led to this conviction. On January 31, 2024, the Hearing Officer issued a recommended order recommending the denial of Petitioner's Application. The Hearing Officer found that Petitioner failed to establish good moral character or rehabilitation as set out in section 550.105(5)(c), Florida Statutes.

Relevant Law

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

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

Section 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 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 commission."

<u>Staff Recommendation</u>: The Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission adopt the Hearing Officer's recommended order and deny Petitioner's application for a slot machine/cardroom/pari-mutuel combination occupational license.

FILED							
FLORIDA GA	MING CONTROL COMMISSION						
Date:	1/31/2025						
File Number:							
	MELBA L. APELLANIZ RK OF THE COMMISSION						

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

EDWARD JUNG WONG

FGCC Case No.: 2024-046235

Petitioner,

v.

FLORIDA GAMING CONTROL COMMISSION DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

HEARING OFFICER'S RECOMMENDED ORDER

THIS MATTER came before Renee Harkins, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on December 10, 2024, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of Edward Wong's ("Petitioner's") petition for a hearing in response to the Commission's Letter of License Denial filed in FGCC Case Number 2023-046235. The Commission was represented by Emily Alvarado, Chief Attorney. Petitioner appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about May 14, 2024, the Commission received an application from Petitioner for a Slot Machine/Cardroom Pari-Mutuel Combination Occupational License. On the application, he answered "yes" 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?" Petitioner disclosed a 1999 offense for Possession of Cocaine in Broward County, Florida.

On or about August 12, 2024, the Commission received a Request for Waiver from
 Petitioner.

3. On or about September 5, 2024, the Commission filed a Letter of License Denial, seeking to deny Petitioner's license application based upon his criminal disposition.

4. On or about September 12, 2024, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

The December 10, 2024, Informal Hearing

5. A hearing pursuant to section 120.57(2), Florida Statutes, was held December 10, 2024, during which the Commission presented the issues raised in the Letter of License Denial. The Hearing Officer granted the Commission's motion to have the Letter of License Denial and the investigative packet admitted on the record.

6. The investigative packet contains a letter of license denial from the Florida Division of Pari-Mutuel Wagering ("Division") filed on September 5, 2024, informing Petitioner of the Division's decision to deny his application for a Slot Machine/Cardroom Pari-Mutuel Combination Occupational License.

7. Additionally, the letter of license denial provides that Petitioner's felony conviction "is a disqualifying offense under Section 550.105(5), Florida Statutes. Your request for waiver has been denied based on your failure to meet the requirements of Section 550.105(5)(c), Florida Statutes."

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8. Petitioner testified that he was one month beyond his eighteenth birthday when he was arrested. Petitioner stated that he had been employed by the Seminole Tribe for over 14 years, working his way up to shift manager.

9. Petitioner stated that he experienced several health issues that required him to miss work beyond the allowed limit and his employment with the Seminole Tribe ended.

10. Petitioner testified that once he recovered fully, he was offered employment with the Seminole Tribe once again, but at a rate that was lower than that he previously made as a shift manager. Petitioner felt that he could utilize his skills by becoming licensed and working for another licensed facility.

FINDINGS OF FACT

11. On or about July 27, 1999, Petitioner entered a plea of *nolo contendere* to a felony count of possession of cocaine and has no other disqualifying offenses.

12. Petitioner's criminal history includes three misdemeanor arrests subsequent to the disqualifying offense: a 2007 conviction for driving under the influence (case number 06-2007-MM-020835A88810, Broward County, Florida), a 2009 conviction for driving under the influence (case number 06-2009-MM-029879A88810, Broward County, Florida), and a 2020 arrest for driving under the influence that was reduced to a reckless driving charge (case number 44-2020-CT-000139-000AMR, Monroe County, Florida) for which Petitioner was adjudicated guilty.

CONCLUSIONS OF LAW

13. The Hearing Officer has jurisdiction over this matter and the parties pursuant to section120.57(2), Florida Statutes.

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14. The Commission has jurisdiction over this matter pursuant to chapters 120 and 550,

Florida Statutes.

15. The Commission is the state agency charged with regulating pari-mutuel wagering operations pursuant to chapter 550, Florida Statutes.

16. Section 550.105(5)(b), Florida Statutes, states in pertinent part:

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

17. Pursuant to section 550.105(5)(d), Florida Statutes, 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.

18. Pursuant to section 550.105(5)(b), Florida Statutes, Petitioner's 1999 felony conviction is a disqualifying offense.

19. 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."

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

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

22. In the present case, Petitioner has a disqualifying felony criminal conviction entered July 27, 1999, and three misdemeanor arrests subsequent to the disqualifying felony conviction.

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

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

RECOMMENDED ORDER

WHEREFORE, based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Florida Gaming Control Commission enter a Final Order DENYING Petitioner's application for a Slot Machine/Cardroom Pari-Mutuel Combination Occupational License.

This Recommended Order in FGCC Case Number 2023-046235 is submitted this 30th day of January, 2025.

Harleins

Renee Harkins Hearing Officer Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 30th day of January 2025 that a true copy of the foregoing "Hearing

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

Edward Jung Wong Petitioner 4974 Cypress Way Coconut Creek, Florida 33073 EddieJWong@gmail.com

Emily Alvarado Counsel for Respondent Emily.Alvarado@flgaming.gov

Renee Harkins Hearing Officer Florida Gaming Control Commission

WONG, EDWARD JUNG Case No. 2024-046235 Informal Hearing Packet

Documents Included in Case File

Exhibit 1	Notice of Hearing
Exhibit 2	Election of Rights
Exhibit 3	License Denial
Exhibit 4	Report of Investigation



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

November 19, 2024

Edward Jung Wong 4974 Cypress Way Coconut Creek, Florida 33073 eddiejwong@gmail.com

> RE: FGCC v. Edward Jung Wong Case No.: 2024-046235

Enclosed please find a Notice of Hearing for the informal hearing that has been scheduled in the above-referenced case. **Your hearing is scheduled to be heard on Tuesday, December 10, 2024, between 9:30 AM and 12:00 PM (Eastern Time).** Please read the Notice of Hearing for more details about the date, time, location and instructions for the hearing. A copy of the Commission's case file has been mailed to your address of record. Please ensure that you have this case file available during the hearing, as you may need to refer to it throughout the hearing.

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

<u>Please note:</u> If you choose not to attend the hearing in person or by video conference, we will be conducting the hearing telephonically; you will be contacted **between 9:30 AM and 12:00 PM (EST) at the following number:** (954) 798- 2180. Please contact me as soon as possible to notify me of a correct number at which to reach you. Failure to answer the telephone, promptly return a missed call, or hold an open line <u>will result</u> in the hearing proceeding without you.

Below please find information about the informal hearing process:

- 1. The Informal Hearing is held on the date and time noted in the Notice of Hearing.
- 2. A Final Order will be issued within approximately 90 days after the date of the hearing. The Final Order is the **final** agency action and will describe the resolution of your case.

Should you have any questions or need any assistance, please feel free to contact me via telephone or email at 850-794-8072 or <u>Ebonie.Lanier@flgaming.gov.</u>

Sincerely,

Ist Elionie Lanier

Ebonie Lanier Administrative Assistant III (850) 794-8072

Enclosures: Notice of Hearing and Case File

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

WONG, EDWARD JUNG,

Petitioner,

v.

FGCC Case No..: 2024-046235

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

Respondent.

,

NOTICE OF TELEPHONIC HEARING

TO: Edward Jung Wong 4974 Cypress Way Coconut Creek, Florida 33073 eddiejwong@gmail.com

YOU ARE HEREBY NOTIFIED that the Commission's designated Hearing Officer will conduct a hearing in this matter, pursuant to Section 120.57(2), Florida Statutes. If you wish to present oral or written evidence, you must attend the hearing. The hearing is scheduled for **Tuesday**, **December 10, 2024 The Hearing Officer will call you at (954) 798-2180 sometime between 9:30 AM** – **12:00 PM (EST)**. Please be available to take the Hearing Officer's call. Failure to answer the telephone, promptly return a voicemail, or hold an open line may result in the hearing proceeding without you.

You may elect to attend the hearing in person or by video conference. If you wish to do so, you must contact the Commission by email at <u>Ebonie.Lanier@flgaming.gov</u> or telephone at (850) 794-8072, at least seven (7) days prior to your hearing date. If you do not elect to attend by video conference or in person, the hearing will automatically be held by telephone only. You may also provide written or oral evidence or have witnesses testify on your behalf. Any evidence that you wish to present to the Hearing Officer and any names and contact information of witnesses you plan to call FGCC vs. Edward Jung Wong FGCC Case No. 2024-046235

at the hearing should be emailed to <u>Renee.Harkins@flgaming.gov</u>, and <u>Emily.Alvarado@flgaming.gov</u> at least 7 days before the date of the hearing. If you do not have an email address, please contact me for an alternative method to provide the requested information.

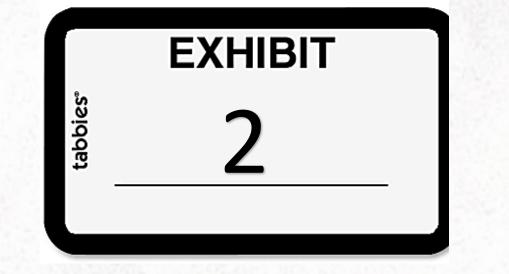
If you cannot attend the hearing and wish to request a continuance for good cause, you must notify the Hearing Officer at <u>Renee.Harkins@flgaming.gov</u> and Opposing Counsel at <u>Emily.Alvarado@flgaming.gov</u> at least five (5) days prior to your hearing date. Continuance requests made within five (5) days of the hearing can only be granted for emergencies.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: the above-named parties via certified mail, on this 19th day of November, 2024.

By: <u>/s/ Ebonie Lanier</u>

Ebonie Lanier Administrative Assistant III Florida Gaming Control Commission Office of the General Counsel Division of Pari-Mutuel Wagering 4070 Esplanade Way, Suite 250 Tallahassee, Florida 32399 Telephone: (850) 794-8072 Facsimile: (850) 536-8709 Ebonie.Lanier@flgaming.gov

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Ebonie Lanier at (850) 794-8072. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.



FILED
MING CONTROL COMMISSION
9/12/2024
MELBA L. APELLANIZ RK OF THE COMMISSION

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

FGCC v. WONG, EDWARD JUNG

CASE NO.: 2024-046235

ELECTION OF RIGHTS

Please read the Letter of License Denial before choosing one of the three options. The Election of Rights is a legally binding document. Consult an attorney if you do not understand your options.

You can only select ONE of the options numbered one (1), two (2), and three (3) on the Election of Rights form. You must sign the form.

A completed Election of Rights <u>must be returned to the Clerk of the Commission within 21 days, by 5:00</u> <u>p.m., Eastern Time, of the day you receive the attached Letter of License Denial</u>.

If your Election of Rights form or request for hearing is not filed with the Clerk of the Commission within 21 days of the day you received the Letter of License Denial, you will have waived your right to contest the proposed agency action and a Final Order will be issued imposing the proposed agency action set forth in the Letter of License Denial.

Please use this form unless you, your attorney, or your representative prefer to reply according to chapter 120, Florida Statutes, and chapter 28.106 of the Florida Administrative Code.

Please return your Election of Rights form to this address:

Florida Gaming Control Commission Attention: Clerk of the Commission 4070 Esplanade Way, Suite 250, Tallahassee, FL 32399 Telephone: (850) 794-8067 Fax: (850) 536-8709 Email: clerk@flgaming.gov

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option One (1) I do not dispute the allegations of material fact in the Letter of License Denial and wish to be heard at an informal proceeding pursuant to section 120.57(2), Florida Statutes, where I may submit testimony and written evidence to the Commission to show that the proposed agency action is too severe or that the sanction should be reduced.

Option Two (2) I do dispute the allegations of material fact in the Letter of License Denial and I request a formal hearing pursuant to Section 120.57(1) before an Administrative Law Judge of the Division of Administrative Hearings ("DOAH"). I specifically dispute the following facts in the Letter of License Denial (attach extra pages or write on the back if needed):

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

In addition to the above election for formal hearing, check the box below if you wish to enter into settlement negotiations and waive the 15-day requirement for this matter to be referred to DOAH:

Section 120.569(2)(a), Florida Statutes, requires the Commission to send this case to DOAH for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement.

Option Three (3) [] I do not dispute the allegations of material fact in the Letter of License Denial and waive my right to object and to have a hearing. I understand that by giving up the right to object and have a hearing, this letter will act as the Final Order. Pursuant to section 120.68, Florida Statutes, any party adversely affected by this Final Order has the right to seek its judicial review by the filing of an original Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 (email: clerk@flgaming.gov), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the is filed with the Clerk.

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

EDWARD WONG

PRINTED NAME

4974 CYPRESS WAY

Street Address

Number (if any)

SIGNATURE U

COCONOT CREEK, FL 33073

Telephone Number Facsimile Number (if any)

ATTORNEY OR QUALIFIED REPRESENTATIVE

Street Address (where service shall be made)

State City

eddiejworg@gmail.com E-mail

954-798-2180

Zip

City

State

Zip

Telephone Number Facsimile

E-mail

YOU MUST LET THE COMMISSION KNOW IF YOUR E-MAIL OR MAILING ADDRESS CHANGES





JULIE I. BROWN, Vice Chair CHUCK DRAGO, COMMISSIONER JOHN D'AQUILA, COMMISSIONER TINA REPP, COMMISSIONER

September 5, 2024

Mr. Edward Jung Wong 4974 Cypress Way Coconut Creek, Florida 33073

		FILED	
F	LORIDA GA	MING CONTROL COMM	ISSION
_	Date: File Number:	9/05/2024	
		MELBA L. APELLANIZ K OF THE COMMISSION	

Letter of License Denial

Dear Mr. Wong:

This Letter of License Denial ("Denial") serves to inform you that your application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License is denied in accordance with the provisions of chapters 550, 849, and 551, Florida Statutes, and the rules promulgated thereto. This Denial is based upon your following criminal dispositions:

07/27/1999 – Possession of Cocaine (F) – Adjudication Withheld – Broward County, Florida (Case No. 061999CF006064A88810)

This conviction is a disqualifying offense under sections 550.105(5), 551.107(5), and 849.086(6)(g), Florida Statutes. A withhold of adjudication of guilt is considered a conviction for licensing under sections 550.105(5), 551.107(5), and 849.086(6)(f), Florida Statutes.

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

Pursuant to sections 120.569 and 120.57, Florida Statutes, you may request a hearing to challenge the Commission' decision within twenty-one (21) days of receipt of this Denial, as provided for in rule 28-106, Florida Administrative Code, and the attached Notice of Rights.

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

Sincerely,

Melba Apellaniz

Clerk of the Commission

Attachment: Notice of Rights and Election of Rights Form

CERTIFICATE OF SERVICE

I hereby certify this 5^{H} day of 5^{H} , 2024, that a true copy of the

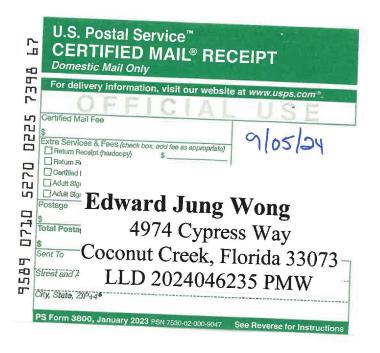
foregoing has been furnished by certified U.S. mail to:

Edward Jung Wong 4974 Cypress Way

Coconut Creek, Florida 33073

CLERK OF THE COMMISSION Florida Gaming Control Commission

Case No. 2024-046235



NOTICE OF RIGHTS

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

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

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

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

If a hearing pursuant to sections 120.569 and 120.57, Florida Statutes, is not requested within 21 days, the foregoing Letter of License Denial will become a Final Order. Any party adversely affected by this Final Order has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399 (email: clerk@flgaming.gov), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the is filed with the Clerk.

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

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

FGCC v. WONG, EDWARD JUNG

CASE NO.: 2024-046235

ELECTION OF RIGHTS

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STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

In addition to the above election for formal hearing, check the box below if you wish to enter into settlement negotiations and waive the 15-day requirement for this matter to be referred to DOAH:

Section 120.569(2)(a), Florida Statutes, requires the Commission to send this case to DOAH for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement.

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

PRINTED NAME			ATTORNEY OR QU	ALIFIED REPI	RESENTATIV		
Street Address			Street Address (where service shall be made)				
City	State	Zip	City	State	Zip		
Telephone Number Number (if any)	Facsimile	Number (if any)	Telep	hone Number	Facsimile		
E-mail			E-mail				
SIGNATURE							

YOU MUST LET THE COMMISSION KNOW IF YOUR E-MAIL OR MAILING ADDRESS CHANGES



WONG, EDWARD JUNG

Case # 2024046235

License Type: Slot Machine/Cardroom/Pari-Mutuel Individual Combination (1055) **Occupation:** Dealer

90-day Deadline: 09/22/24

State of Florida

Honda Department of Business & Professional Regulation

Department of Business and Professional Regulation **Chronology Report**

Case #:	2024046235		Incident da	ate: 05/14/2024	Status:	116 - Sent te	o Legal			
Lic Type:	1055		Disposition	n:						
Case Type:	Complaint									
Responsible:	Responsible: Itrombetta - TROMBETTA, LOUIS									
Complainant:	DIVISION OF P	ARI-MUTU	EL WAGER	ING						
	1400 W COMME	ERCIAL BL	VD, STE 16	5, FORT LAUDER	DALE, FL 33309					
Respondent:	WONG, EDWAF	RD JUNG								
	4974 CYPRESS	WAY, CO	CONUT CRI	EEK, FL 33073						
Summary:	274 - DANIA ENERTAINMENT CENTER, LLC - Application and rap sheet reviewed. Applicant's criminal history resulted in felony conviction(s) or an industry related offense (such as gambling, beckmaking, et).									
-	criminal history r bookmaking, etc		felony convid	ction(s) or an indus	try related offense	e (such as gar	mbling,			
Chronology:			felony convid Lic Type	.,	try related offense	e (such as gar	nbling, Responsible Party	Respondent		
Chronology:	bookmaking, etc	».).		.,			0.	Respondent WONG, EDWARD JUNG		
Chronology:	bookmaking, etc Effective Date	с.). Туре	Lic Type	Code	Description	w	Responsible Party	WONG, EDWARD		
Chronology:	bookmaking, etc Effective Date 08/12/2024	а.). Т уре А	Lic Type 79	Code 200	Description Case File Review	w	Responsible Party wsmith	WONG, EDWARD JUNG WONG, EDWARD		
Chronology:	bookmaking, etc Effective Date 08/12/2024 08/12/2024	с.). Туре А А	Lic Type 79 10	Code 200 15	Description Case File Review Assigned to Inve	w estigator ndent	Responsible Party wsmith wsmith	Wong, Edward Jung Wong, Edward Jung Wong, Edward		
Chronology:	bookmaking, etc <u>Effective Date</u> 08/12/2024 08/12/2024 08/15/2024	х.). Туре А А А	Lic Type 79 10 10	Code 200 15 50	Description Case File Review Assigned to Inve Interview Respo	w estigator ndent	Responsible Party wsmith wsmith wsmith	Wong, Edward Jung Wong, Edward Jung Wong, Edward Jung Wong, Edward		

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August 18, 2024 01:44

nfa5 - Chronology Report

Page 1 of 3

Florida Department of Business & Professional Regulation

State of Florida Department of Business and Professional Regulation Chronology Report

Chronology:	Effective Date	Туре	Lic Type	Code	Description	Responsible Party	Respondent	
							JUNG	
	08/18/2024	R		ltrombetta	TROMBETTA, LOUIS	charris		
	08/12/2024	R		wsmith	SMITH, WILLIAM	cstubbs1		
	08/16/2024	R		bjones	JONES, BRADFORD	bjones		
	08/16/2024	R		cwtaylor	TAYLOR, CHARLES W	cstubbs1		
	08/18/2024	S	1055	116	Sent to Legal	charris		
	08/16/2024	S	1055	165	Supervisor Review	bjones		
	08/16/2024	S	1055	104	Sent to Licensing Section	cstubbs1		
	08/16/2024	S	1055	90	Closed	cstubbs1		
	08/12/2024	S	1055	20	Under Investigation	cstubbs1		
	08/12/2024	S	1055	10	Initial Review	cstubbs1		
Allegation:	Code	Description						
	ATTD	Authority to Deny Licensure						
Violation:	Code	Description				Respondent		
	SLFS107	551.107			WONG, EDWARD JUNG			

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August 18, 2024 01:44

nfa5 - Chronology Report

Page 2 of 3

Florida Department of Business & Professional Regulation State of Florida Department of Business and Professional Regulation Chronology Report

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August 18, 2024 01:44

nfa5 - Chronology Report

p								FAQ	Help Sign Out	
VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report	
Complaint Search Change Recording License Type Delete Complaint Mass Activity Update Mass Discipline Update Mass Status Update Public Case Info Domain 10 - Division of Pari-Mutuel Wagering Logged in as: cstubbs1										
			tuer wagering					Logged		
VR Home >	VR Home > Complaint Search > Maintain Complaint									
	Lic Type 1055 - Slot Machine/Cardroom/Pari- Mutuel Individual Combination 5tatus 5tatu								te 08/16/2024	
Complaint #	20240462	3 5 C	ase _{Type} CMP Com	- plaint ^D	isposition			Disposition Da	te	
Docket#		Re	WON spondent EDW JUN	IARD Re	sponsible	cwtaylo TAYLO CHARL	R,		Private Case	
Complaint	Respo	ondent	Complainant	Addt'l Info	þ					
Source	INTN - In	ternal	Security Le	evel 1			Parties	4	Activities	
Form	INTR - In	ternal	Pric	ority 1			Allegations		Discipline	
Class'n	CHIS - C History	riminal	Comple	exity R - Re	egular		Violations		ompliance	
Security	STND - S	Standard	Incid	lent 05/14/	2024		Related		isposition	
Region	SR - Sou Region	thern	Recei	ved 08/12/	2024		Inspection			
Reference						treeses (
Entered	08/12/20	24	Entered	By cstub	bs1		Costs			
Summary	Applicat criminal	ion and ra history re	RTAINMENT CI ap sheet review esulted in felor	ved. Applie ny convicti	cant's on(s) or		ime Trackin	maannad haannaanna	to Assign History	
		try relate king, etc.)	d offense (suc	n as gamb	ung,	farmed Lannah				
Updated	08/16/202	24 15:58:	36	By cstub	bs1		Work Notes	Pri Pri	int Report	
		Change) S	ave)K] [Can	cel	Back	

Get Adobe Reader.

ROUTING SLIP

RE: <u>WONG, EDWARD JUNG – LIC #</u> (APPLICANT'S NAME – LICENSE #)	Case No: <u>2024 04 6235</u>
14001725 / 1055 Occupation Code and Job Title	Casino@Dania Beach Facility (d/b/a name)
Referral Date: <u>August 1</u>	(DATE)
Investigations Section: Reviewed by Bradford D. Jon	les 8/16/2024 (Initial & Date)
The attached "Request for Waiver" file has been reviewed for forwarded to the Licensing Section.	completeness and accuracy, and has been
Licensing Section: Reviewed by: $\underbrace{\mathcal{CH}}_{\text{(Initial & Date)}}$	<u> </u>
Is the applicant currently under suspension, have unpaid fine racing jurisdiction?	s, been refused a license by any gaming or
[] Yes or [✔] No If yes, in what jurisdiction?	
Investigative Findings:	

April 2, 1999 Miramar Police Department, FL. – Possession of Cocaine – Felony – Pled Nolo Contendere – Adjudication Withheld on July 27, 1999 -Sentenced to 18 months' Probation and Ordered to pay a Fine of \$250.00. – Fine has been paid in full.



Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:		Date of			Case Number:	
PMW	SOUTHERN		Augus			2024 04 6235	
Respondent: WONG, EDWARI) JUNG		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS				
4974 CYPRUS W						VD. SUITE 165	
4974 CYPRUS WAY COCONUT CREEK, FLORIDA 33073 954-798-2180					RDALE, FLORI		
License	e# / Type:	I	Prof	fessi	ion:	Report Date:	
	725 / 1055		POKER	R DE	EALER	AUGUST 16, 2024	
	Period of Investigation	:				Type of Report:	
AUGUST	12, 2024 TO AUGUS	Г 16, 2	024			FINAL	
	-					of EDWARD WONG'S Florida	
						th a Request for Waiver signed /	
						answered "yes" to the question	
						one was correctly a felony, the	
						ession of Cannabis. The second	
	a DUI. Correctly liste	d was a	a 3 rd Degr	ree I	-elony for Poss	ession of Cocaine (EXHIBIT #2).	
Related Case:	aialiat II / Data			A		Vinationa Managan / Data	
Investigations Spe	ecialist II / Date			Арр	proved by invest	tigations Manager / Date	
/ August 16, 2024				Tyrell D. Smith / 8/16/2024		R	
-	· · · ·			Tyre	ell D. Smith /	8/16/2024	
Chief of Investigat	tions / Date						
Jon	K.						
Bradford D. Jone	Bradford D. Jones / August 16, 2024						

CRIMINAL HISTORY

	Arrest 1								
Da	ate of Arrest:	Arresting Agency:							
04	-02-99	Miramar Police Dep	partment, Fl.						
			OFFENSE						
Cha	arge(s):		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE			
1	1 Possession Of Cocaine		FELONY	NOLO	ADJ WH	07-27-99			
2									
3									
4									

SENTENCE

FINE \$250 18 MONTHS PROBATION

	Arrest 2								
Da	te of Arrest:	Arresting Agency:							
			OFFENSE						
Cha	arge(s):		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE			
1									
2									
3									
4									

SENTENCE

Additional Information:		

CRIMINAL HISTORY

	Arrest 3							
Date of Arrest: Arresting Agency:								
			OFFENSE					
Charge(s):		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE			
1								
2								
3								
4								

	SENTENCE	
Additional Information:		

	Arrest 4								
Date of Arrest:		Arresting Agency:							
	OFFENSE								
Charge(s):		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE				
1									
2									
3									
4									

SENT	ENCE

Additional Information:			

ADDITIONAL LICENSES

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

1. License Type:							
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdic	Agency or Jurisdiction:			
		·	·	YES	NO		
Has License ever been suspended or revoked?							
Was any derogatory information received?							
Additional Comme	Additional Comments:						

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

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

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

INTERVIEW

		YES	NO
Was an interview Conducted?		Х	
Date of Interview:	Location of Interview:		
August 14, 2024	Telephonic		
		YES	NO
Was the applicant cooperative?		Х	
Additional Comments:			

SUMMARY OF INTERVIEW:

During this Investigators interview with Edward **WONG**, he was cooperative, and his demeanor was personable, professional and candid throughout the interview. He stated that he has been involved in the Casino Industry for most of his adult life. He worked for Seminole Gaming for fourteen (14 years) advancing from Poker Dealer to Poker Supervisor to Shift Manager.

In 2021 he was in a freak accident when furniture fell on him while assisting in a moving venture for a friend. It resulted in broken bones and a knee replacement. Due to the injury, he went on medical leave from Seminole Gaming. Around the time he was to return to work he was involved in a Snow Mobile accident. A long recovery followed which exceeded the time limit Seminole Gaming permitted for his employment, so he was forced to resign or be terminated. By resigning he could reapply after healing, which he eventually did however when offered employment the accompanying salary was significantly lower than what he had been paid previously.

In reference to the 1999 felony arrest for Possession of Cocaine, **WONG** stated he was with four friends in his car on their way to a birthday party in Broward County, Florida. The car which he was driving was pulled over by Police for a traffic infraction. **WONG** stated that while stopped and being questioned by the Officer, unbeknownst to him, a small amount of cocaine had fallen out of the car. He did not know who had the cocaine, therefore as the driver and registered vehicle owner, he was charged. Initially he pled Not Guilty then changed his plea to Nolo Contendere. The result was Adjudication Withheld; 18 Months' Probation, and a \$250 Fine **(EXHIBIT #3).** He has no other disqualifying arrest since 1999.

WONG is requesting licensure to pursue opportunities with the FGCC PMW facilities.

CONCLUSION:

An ARCI inquiry reveals no information on Mr. WONG. (EXHIBIT #4)

Case Status: Closed by Investigations and forwarded to Licensing.

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Ι.	INVESTIGATIVE REPORT COVERSHEET	
II.	INVESTIGATIVE REPORT	
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	5. Deficiency Letter1	1-1

FGCC PMW-3180 - Request for Walver





TO: EDWARD JUNG WONG Full Legal Name of Applicant

Date of Birth

STATE OF FLORIDA

DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION

1400/725 Individual/Org. Number

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

For Pari-Mutuel and Cardroom Applicants:

- A conviction in this state, in any other state, or under the laws of the United States of a capital felony, a felony or an offense in any other state which would be a felony under the laws of Florida involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character. A felony or misdemeanor in this state, in any other state, or under the laws of the United States, if such felony or misdemeanor is related to gambing or bookmaking, as contemplated in Section 849.25, Florida Statutes, or involves crueity to animals.
- Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction. Specify discipline and jurisdiction:
- New applicant to Fiorida who has been convicted of any felony, regardless whether adjudication was withheld.

For Cardroom Applicants Only:

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

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

UNTIL YOU ARE LICENSED:

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

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

Signature of Applicant

-7-2024

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

FGCC PMW-3180, Effective 09-01-2020, Rule 75-5.001, F.A.C.



FGCC PMW-3195 - Request for Release of Information and Authorization to Release Information

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

PERSONAL INFORMATION	23
Social Security Number/Federal Employer ID Number	
IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION	_
Lest Name Wong First LOUARD Middle Jong Suffic	
Birth Date (MM/DD/YYYY)	-
IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION	and the second second
Representative's Name Last First Middle Title Suffic	٤
Permitholder Name	
Official Capacity	
ATTEST STATEMENT	
I. LOUARD JUNG WONG do hereby instruct all law enforcement	
(name of applicant/representative) or criminal justice agencies, present and former employers or institutions with whom I or my businesses	e
or criminal justice agencies, present and tormer employers or institutions with whom i or my businesses have a present or past business relationship, as well as all present or past social associates to release	i eN
requested information to the bearer of this release form, who is an authorized representative of the Sta	6H 10
of Florida, Florida Gaming Control Commission.	
I further authorize any individual, agency, corporation, or other entity to release any and all information	
requested by the bearer of this release form with respect to myself or my business. Additionally, I do release such individuals or entities from any and all liability due to the release of information requested.	
-	'
EDWARD JUNG WONG	
(if individual applicant - legal name and any nickname or alias in parentheses)	
Sec. 11/1/2 2. 8-7.1021	
Applicant/Representative Signature: Date: 8-7-2024	
NOTARIZATION	
	<u>i i i i i i i i i i i i i i i i i i i </u>
The foregoing application was swom to and subscribed before me this 7th Day of August, 20 24	-
- Edward Whoa	
by Edibora Wona Type or point name of applicant Signature Supplicant	
who is personally known to me or who has produced the following as identification.	
a	
Type of Identification	
diculative for the 3/22/27 Signed with a source of person taking acknowledgement	
Notary Seel	
(Fubber Stamp and Expiration)	
	- 1

FGCC PMW-3195, Effective 09-12-2012, Fulle 75-4.002, F.A.C.



MAY 1 4 2024

Florida Gaming Control Commission Division of Pari-Mutuel Wagering FGCC PMW-3410 – Stot Machine Individual Occupational License Application

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

	DEMOGRAPH	C INFORM	ATION		88.		
Social Socurity Number	Birth Date	(MM/DD/	(YYY)	Gender	**-1-	-	Camata
				<i>*</i>	мане	u	Female
Last Name	First		Mick	fle		S	Suffix
Wong	Edward		Jun	g			
Have you used, been known as, or calle	d by another name (exa	mple – maid	en nama, pse	udonym, nickr	ame) or	afias	other than
the name used on the application?	Yes 🖸 No						
If yes, list the name or names used: E	die Wong			and the second second second			
Race/Ethnicity (check only one):	····· ··· ··· ···						
🖬 Black or African American	Asian or Pacific Islando Hispanic% atino		ative America ther	n or Alaskan f	labve		
CI White or Caucesian			() PG-1				
Are you a United States citizen?	Yes 🖸 No						
If no, provide the name of the country of	which you are a citizen:						
Current Mailing Address		IE	mail Address	(optional)			
4974 Cypress Way		1	0				
City Coconut Creek	State Zip Code (FL 33073	+4 optional)	Country USA				
Primary Phone Number	- 00070	Secondary/	Cell Phone Nu	mber (ontiona	n		
					-1		
Current Street Address	антиканан (12.20.) - 3				~~~		1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 -
4974 Cypress Way							
City		+4 optional)	Country				
Coconut Creek	FL 33073	1	USA				
Type of Slot Machine Occupational Lice	nse applying for:		this your first sense in Florid		for a rac	ing/g	aming
🖬 General Individual 🛛 🗳 Profe	ssional Individual		Yes D				
Slot Machine/Cardroom/PMW Com	cination	F	acility where e	mployed and/	or doing	busin	ess:
Job trie(s): Poker Dealer			Dania	Entertain	ment	Cen	ter LLC
		E	mployer name				
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License Code 1055 Licen	#14001725	File #	12784	App	"	45	58
Association Code 274 Date	Received 05 1420	d Entra	UL UL				4/27
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FGCC PMW-3410. Effective September 2020), Rule 75-14,005, F.A.C				nga Alif Alekson Saardal	cologic and the or	Page 2 of
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-		st below all gam			mployer? syment history in the	post ten years.	
eminole C	Name of Employer Address		- End	Date (Month/ Year) Date (Month/ Year)	Title/Position Held & Supervisor Name		
Seminole Casino (5550 NW 4061 Street Gocond Creek, FL 31073		7/2007-3/2021		Kelly Mautne	Medical Inju		
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Yes Ha	NUMPERATION AND AND AND AND AND AND AND AND AND AN		· ······	-	a No	or any other state or coun	

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, ۵ NO NO 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 D No Have you ever been convicted of or had adjudication withheid for any crime, or pled guilty or holo contendere to any No 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. County State Öllense Misdemeanor Sentence Date of Oisposition or Felony7 Felony 18 months probabtion 7-27-1999 Broward FI Pass Coceine, Orving w/Suspended Usense 6-28-2010 Broward FL Felony 24 months probation DUI Do you currently work for, own or have a financial interest in a slot machine management company, slot machine Yes Q NO NO manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee? Yes Do you currently own or have a financial interest in a Florida licensed sict machine facility or in any business owned 0 1 No by a Florida licensed slot machine facility? ADDITIONAL INFORMATION FGCC PMW-3410, Effective September 2020, Rule 75-14 005, F.A.C. Page 4 of 5 EXHIBIT #

PAGE #

Pres Have you ever been convicted of or had adjudication withheld for any crime, or plad guilty or noto contendere criminal charges adjavist you? If yes, the court disposition records for all convictions must be submitted with trapplication and you must list the details in the section provided below. Data of Disposition County State Offense Misdemanor (or Felony?) 7-27-1999 Broward FL Pose Cocare, Drying with sponded traves Felony 18 months proba	his
7-27-1999 Broward FL Pre Cocate Drate W3usperson Usawa Felony 18 months proba	innaniana serena series
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6-28-2010 Broward FL DUI Felony 24 months prob	ation
1:3152008 BEQUARD FL- Poss of camibis FRANK - G MONTHS PRI	PA Ho
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Ves Do you currently work for, own or have a financial interest in a slot machine management company, slot machine interest in a slot machine related products, services, or goods to a slot machine idensee?	ine
Q Yes Do you currently own or have a financial interest in a Florida licensed slot mechine facility or in any business p \$2. No by a Florida licensed slot machine facility?	wned
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PLEASE READ AND SIGN BELOW

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

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

Each application for a license or renewal of a license issued by the Florida Gaming Control Commission shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

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

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Florida Gaming Control Commission or the Florida Department of Law Enforcement

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

Edward Jung Wong

Print Legal Name (First Middle Last)

Social Security Number

Signature of Applicant

Birth Date (MM/DD/YYYY)

DITU Date (NIMPDD/1111)

Dania Entertainment Center LLC

Name of Employer

5/14/2024

Date

FGCC PMW-3410. Effective September 2020, Rule 75-14.005, P.A.C.

EXHIBIT #9ef or 5 PAGE #

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Street # 497	4 Street	CYPRESS	S WAY				*No	Previous Li	cense	
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Division of Pari-Mutuel Wagering Licensing Administrator Review of Occupational License

		JUNG-1400172			
	Ŧ	Name– License #)	5		2024-046235 Case No:
		,			
INI	IAL APPLI	CATION REC	EIVED:		5/14/2024
App	lication De	emed Comple	te:		6/24/2024
90-[Day Deadline) :			9/22/2024
	AH	<u> </u>		nia Jai-Alai	1055-Dealer
	blication Processor		acility (d/b/a na any person who	,	Occupation Code / Job Title/Job Title her state racing commission or racing authority; under
been convicted in t laws of this state ir	his state, in any other s volving arson; traffickin	tate, or under the laws of the g in, conspiracy to traffic in, s g, or has had a pari-mutuel lic	United States of smuggling, impo cense revoked b	of a capital felony, a felony, or an offen orting, conspiracy to smuggle or import	upational license if the applicant for such license has se in any other state which would be a felony under the , or delivery, sale, or distribution of a controlled [,] an offense related to pari-mutuel wagering.
		Electiv		nviction	
Did the app	lication accurat	ely reflect the Crin		ry Record initially?	Yes No
		ued to request info	rmation rel	ated to the offense(s)?	
	s): 1 Count(s)				mbling Related / Bookmaking
		rtion, Conspiracy I utuel Professons)	o Defraud	I (Cardroom Professions	Only)
Comments	Z \				
Arrest Date	Location	Charge	Level	Court Case #	Disposition (or Unknown)
04/03/1999	Broward County, FL	Possession of Cocaine	F3	061999CF006064A88810	Adj. Withheld
09/12/2007	Broward County, FL	Charge 1: Marijuana Possession	М	062007MM020835A88810	Adj. Withheld
		Charge2: Possession Drug	М	062007MM020835A88810	Adj. Withheld
		Paraphernalia Charge 3 : DUI	М	062007MM020835A88810	Guilty
		Charge 4: Disobey	Unknown	062007MM020835A88810	Unknown
		Avoid Red Light Charge 5: Poss Open Container in Vehicle	Unknown	062007MM020835A88810	Unknown
12/30/2009	Broward	Charge 1: DUI	М	062009MM029879A88810	Guilty
	County, FL	Damage to Property or Person of another Charge 2: DUI Damage to	М	062009MM029879A88810	Nolle Prosequi
02/16/2020	Monroe County, FL	Property or Person of another Charge 1 : DUI Reduced to Reckless Driving	Μ	442020CT000139000AMR	Guilty

Related Licenses								
Check VR License Relations to Determine if Applicant is Related to a Business.								
Is the individual applicant related to a business?	Yes No X If yes, complete sections below.							
Business License Number:	Business Name:							

Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes 🗌 No 🗌								
Date Deficiency Letter Issued:	Initials:							
Comments:								
Licensing Administrator Review								
Disp	osition Confirmatio	n						
Disqualifying Convictions/Arrests Confirmed?	Yes 🛛 🛛 No 🗌	Approval						
Forward to 🛛 Investigations 🗌 Legal	Commission	Initials: CH Date: 08/12/2024						
Comments:								





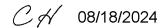
FLORIDA'S CLERKS OF COURT AND COMPTROLLERS

CCIS COMPREHENSIVE CASE

Cyntoria.Harris@dgcc

Expand All

									Expand All
Case Number	Filed Date	Disposition Date	County		Саве Туре			Status	Contested
061999CF006064A8881 [99-005064-CF10A]) 04/03/1999	07/27/1999	BROWARD	Felony			Disposed		No
Char	e Seq #	1	Description Date				Phase		Trial
	1	POSSE	SSION OF COC/	\INE	07/27/1999		Court:Adjudication Withhe	ld N	Trial
2 DRIVING WILICENSE SUSP/REVOK 07/27/1999							Court:Adjudication Withhe	d N	Trial
3 FAIL REGISTER VEHICLE 07/27/1999						Court:Adjudication Withhe		Trial	
	4	Unlaw	LicTag/Sticker Att	ach	04/20/1999		Prosecutor:No Action		
		0.10.1			51.101.1000				
	Party Name			Party Type		Attori	iey	Bar IC	
FA, MICHAEL LYNCH - JUDGE									
State of Florida STATE ATTORNEY									
WONG, EDWARD	UNG <u>Search Th</u>	nis Party DE	FENDANT						
B & B BAIL BONDS	OF FLORIDA	01	HER						
RANGER INSURANCE COMPANY INTERESTED PERSON									
Dockets									
				Page : 1	10				
Image Doc# 27	Action Date 05/23/2000	CTC Cumun	t Due Count(s):<	001 >	Des	cription			Pages
27	05/23/2000			oo i > To Terminate Probation	Ct Rent C. Honavand				
25	05/22/2000			n To Terminate Probati					
24	05/18/2000			g 5-22-00 M/tor Early					
23	05/18/2000	File Defense	Motion To Termi	hate Probation Early					
22	05/08/2000	File Applicati	ion Fee / Public D	efender Appointed					
21	07/27/1999	Broward Cot	unty Supervision	Count(s):< 002 >					
20	07/27/1999	Broward Cou	unty Supervision	Count(s):< 001 >					
19	07/27/1999		ing Guidelines						
18	07/27/1999	File Order O	f Probation						
Judge Assignment Hi	tory								
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Court Events									U
Sentences									
Financial Summary									
Reopen History									1771





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Is your court hearing being held via Zoom? Learn more about Remote Court Hearings by Zoom (/GeneralInformation/Miscellaneous#RemoteHearingsbyZoom)

State of Florida Vs. Wong, Edward Jung	
Broward County Case Number: 99006064CF10A	
State Reporting Number: 061999CF006064A88810	
Court Type: Felony	
Case Type: Felony	
Filing Date: 04/03/1999	
Case Status: Disposed	
Court Location: Central Courthouse	
Judge ID / Name: Lynch - FA, Michael	
Magistrate Id / Name: N/A	
BCCN: 0217300	



Total: 4 - Party(ies) Attorneys / Address Party Type Party Name Address * Denotes Lead Attorney Defendant Wong, Edward Jung 6860 Farraut St ★ Public Defender Holllywood, FI Public Defender U.S. Of Bar ID: 88888888 America Gender: Male Status: Removed Race: White 05/22/2000 Language: English (American) Complexion: Light Leifert, Brian Starr Height: 5'11" Bar ID: 947059 Weight: 180 1213 SE 3rd Avenue Eye: Brown Fort Lauderdale, FL 33316 Hair: Black Status: Removed DOB: 07/15/1999 Birth City: Miami Birth State: FL Bond Company B & B Bail Bonds of Florida Bond Insurance **Ranger Insurance** Company Company State State of Florida

- Charge(s)

Total: 4



Offense Date	Charge	Degree	Detail
04/02/1999	1	(F3)	Possession of Cocaine Date Filed: 04/02/1999 Current Statute: (F3)893.03(2)(a)4 Filing Type: SAO Information Filing Agency: Miramar PD Original Statute: (F3)893.03(2)(a)4-Possession of Cocaine
04/02/1999	2	(M2)	Driving W/License Susp/Revok Date Filed: 04/02/1999 Current Statute: (M2)322.34 Filing Type: SAO Information Filing Agency: Miramar PD Original Statute: (M2)322.34-Driving W/License Susp/Revok Citation Number: 4434KCM
04/02/1999	3	(M2)	Fail Register Vehicle Date Filed: 04/02/1999 Current Statute: (M2)320.02(1) Filing Type: SAO Information Filing Agency: Miramar PD Original Statute: (M2)320.02(1)-Fail Register Vehicle Citation Number: 4437KCM Vehicle Information
04/02/1999	4	(M2)	Unlaw LicTag/Sticker Attach Date Filed: 04/02/1999 Current Statute: (M2)320.261 Filing Type: No Information Filing Agency: Miramar PD Original Statute: (M2)320.261-Unlaw LicTag/Sticker Attach

EXHIBIT #-3 PAGE # -3 Warrant(s)

Total: 0

There is no Warrant information available for this case.

 Bond(s) 				Total: 1
Posted Date	Charge(s)	Detail	Status	
04/02/1999	1	Bond# 11047770 (InActive) Bond Type: Surety Bond Bond Company: B & B Bail Bonds of Florida Insurance Company: Ranger Insurance Company Bond Amount: \$1000.00 Surety Comment: InsCo: RACO-RANGER INSURANCE COMPANY	04/02/1999 07/27/1999	POSTED DISCHARGED

 Arrest(s) 				Total: 4	
Arrest Date	Charge	Arrest Number	Detail		
04/02/1999	1	MM99000454	Arrest Name At Arrest: Wong, Edward Jung Offense: Possession of Cocaine Degree: (F3) Bond Amount: \$1000.00 Bond Type: Surety Bond Statute: 893.03(2)(a)4 OBTS Number: 888888888	EXHIE PAGE	3IT # 3 ⋮# 4

Arrest Date	Charge	Arrest Number	Detail	
04/02/1999	2	MM99000454	Arrest Name At Arrest: Wong, Edward Jung Offense: Driving W/License Susp/Revok Degree: (M2) Bond Amount: \$ Statute: 322.34 OBTS Number: 8888888888	
04/02/1999	3	MM99000454	Arrest Name At Arrest: Wong, Edward Jung Offense: Fail Register Vehicle Degree: (M2) Bond Amount: \$ Statute: 320.02(1) OBTS Number: 8888888888	
04/02/1999	4	MM99000454	Arrest Name At Arrest: Wong, Edward Jung Offense: Unlaw LicTag/Sticker Attach Degree: (M2) Bond Amount: \$ Statute: 320.261 OBTS Number: 888888888	
- Disposition	(S)			Total: 4
				C



Offense Date Charge Disposition(s)

1

04/02/1999

 Plea(s)

 07/27/1999
 Amended Plea (Reason: Change of Plea,)

 Change of Plea-Nolo Contendere

 05/12/1999
 Plea

 Written Plea Not Guilty-Jury

Disposition(s) 07/27/1999 Disposition Adjudication Withheld

Sentence(s)

07/27/1999 Sentence (Judicial Officer(s): May, Melanie) Comment (Docketrac Sentence Record Note: Hiv/std Class/cos \$20. Per Month) Comment (Total Amount Imposed \$250.00) Charge Reopen Status (05/22/2000, Closed, 1) State Probation (0 Year(s) 18 Month(s) 0 Day(s), Start Date: 07/27/1999, End Date: 05/22/2000) Provisions: Provisions (No Alcohol, Random Urinalysis, Reduce Cost of Supervision) Special Provisions(Defendant Sentenced Under Sentencing Guidelines) Offense Date Charge Disposition(s)

	onargo	poposition(a)
04/02/1999	2	Plea(s)07/27/1999Amended Plea (Reason: Change of Plea,)Change of Plea-Nolo Contendere05/12/1999PleaWritten Plea Not Guilty-Jury
		Disposition(s) 07/27/1999 Disposition Adjudication Withheld
		Sentence(s)07/27/1999Sentence (Judicial Officer(s): May, Melanie)State Probation (0 Year(s) 0 Month(s) 60 Day(s), Start Date: 07/27/1999, EndDate: 09/25/1999)Sentence Status (Concurrent, Case#: 99-006064-CF10A, Counts: 001-001,Comment: Def#:99006064CF10A Count:001)Provisions: Provisions (Waive All Costs) Special Provisions(DefendantSentenced Under Sentencing Guidelines)
04/02/1999	3	Plea(s)07/27/1999Amended Plea (Reason: Change of Plea,)Change of Plea-Nolo Contendere05/12/1999PleaWritten Plea Not Guilty-JuryDisposition(s)07/27/1999DispositionAdjudication WithheldSentence(s)07/27/1999Sentence Withheld (Judicial Officer(s): No, Judge)

EXHIBIT #~3 PAGE # - 7

Offense Date 04/02/1999	Charge 4		ition(s) 999 Disp	osition						
- Collectior	n(s)		*****			et - La de la Conductor de La Conductor de Samuel announcementante de la conductor de la Conductoria		Tota	l: 4	
Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
05/23/2000	- And		\$250.00	\$290.00	\$290.00	\$0.00	05/09/2000	\$40.00	100	\$0.00
 Event(s) Date 	& Docum Descrip				ŀ	Additional Tex	xt Y	Total: view / Pages		
05/22/2000	File Or Probat		ng Def Moti	on To Term	inate \	/erbal				
05/22/2000	Hrg He Probat		ense Motion	n To Termin	ate (Ct Rept C. Ho	opwood			
05/18/2000	File De	efense Mot	ion To Term	ninate Proba	ation E	Early				
	File De	efense Noti	ice Of Heari	ing	Ę	-22-00 M/for Ferm Of Prob	-			

Date	Description	Additional Text	View / Pages	
05/08/2000	File Application Fee / Public Defender Appointed			
07/27/1999	Broward County Supervision	Count(s):< 002 >		
07/27/1999	Broward County Supervision	Count(s):< 001 >		
		Amount: \$35.00		
07/27/1999	Case Transferred	To Fa Division/per Sentence		
07/27/1999	File Acknowledgement -Waiver Of Rights			
07/27/1999	File Fingerprint Form			
07/27/1999	Hearing Held / Change Of Plea	Cr-Electronic		
07/27/1999	File Order Of Probation			
07/27/1999	File Sentencing Guidelines			
07/15/1999	File Order Granting Def Motion For Continuance			
07/15/1999	File Order Granting Def Motion To W/D Atty Of Record			
07/15/1999	Hearing Held / Status Report	Cr-Electronic		
06/17/1999	File Order Granting Def Motion For Continuance			
06/17/1999	Hearing Held / Status Report	Cr-Electronic		EXHIBIT # - 3 PAGE # - 9

Date	Description	Additional Text	View / Pages
05/12/1999	Arraignment Held	Cr-Electronic	
05/12/1999	Defendant Allowed 15 Days to File Motions		
05/12/1999	File Defense Demand For Discovery		
05/12/1999	File Defense Written Plea Of Not Guilty	And Appearance	
05/12/1999	File Judicial Pretrial Defer Prosecution Agreement		
04/27/1999	Court Date Notice	To Deft & Bond Co	
04/15/1999	File Notice From Pre-Trial Release Re: Drug Court	"transfer From Division Fa To Fn"	
 04/02/1999	Bond Posted	B&b #11047770 \$1000	

+ Hearing(s)

Total: 2

Related Case(s)
 Total: 0
 There is no related case information available for this case.

Brenda D. Forman

Clerk of Court



Broward County

17th Judicial Circuit

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Main Courthouse Location



>

201 SE 6th Street

Fort Lauderdale Florida, US 33301 Phone: (954) 831-6565

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REEVES



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Search P	arameters					
Govt. Nu	imber:					
Date of E						
First Nan	ne: EDWAF	D				
Middle N	lame: JUNC	3				
Last Nan	ne: WONG					
Sex:						
Commiss	sion:					
License 7	Гуре:					
Master ID	Last Name	First Name	Middle Name	SSN/Federal ID Rulings	Birth Date City	State

Licensees Rulings Horse Tracking Bulletin Board Preferences Log Off



6. Discussion of request for waiver

MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Emily Alvarado; Chief Attorney
Re:	Garrett T. Anderson; Case No. 2024-062658
Date:	January 30, 2025

Executive Summary

The Applicant, Garrett T. Anderson seeks a waiver of his disqualifying offense and issuance of a cardroom employee occupational license (the "Application"). The Applicant submitted a completed application for a cardroom employee occupational license. Upon review of the Application, it appears the Applicant has been convicted of two felony offenses in Volusia County, Florida. A Division investigator conducted a waiver interview of the Applicant on November 22, 2024, and documented the waiver interview in a report submitted to the Commission for consideration.

Pertinent Facts

On September 4, 2024, the Applicant submitted an application for a cardroom employee occupational license to the Division. The Applicant answered "yes" to if he had been convicted of a disqualifying offense and listed one felony offense. On September 13, 2024, the Applicant was issued a deficiency letter by the Division requesting a completed application, specifically requesting that he list all convictions on the application and requesting he provide court disposition records and arrest reports for an arrest out of Volusia County, Florida from February 25, 2022. The Applicant applied for a waiver from the statutory restrictions excluding applicants with disqualifying offenses on October 1, 2024. On October 9, 2024, the Applicant submitted the requested documents. Upon review of the completed Application, it appears that the Applicant was convicted of the following:

- Evading or Attempting to Elude High Speed out of Volusia County, Florida, from September 15, 2022; and
- Fleeing or Attempting to Elude out of Volusia County, Florida, from September 15, 2022.

On November 22, 2024, Commission investigators conducted a waiver interview with the Applicant. The waiver interview is documented in a report included as Exhibit A.

These convictions are disqualifying offenses pursuant to sections 550.105(5)(b), and 849.086(6)(f), Florida Statutes. Furthermore, the Applicant applied for cardroom employee occupational license and was denied on February 1, 2024.

Relevant Law

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

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

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

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

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

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 commission."

ANDERSON, GARRETT T

Case # 2024-062658

License Type: Cardroom Employee Occupational License (1012) Occupation: Dealer

Waiver Requested: Maiver [] No

ROUTING SLIP REQUEST FOR WAIVER

RE: <u>ANDERSON, GARRETT T. – 11565390</u> (APPLICANT'S NAME – LICENSE #)	Case No: <u>2024 06 2658</u>
<u> 1012 – Dealer</u> Occupation Code and Job Title	175 Orange City Racing & Card Club Facility (d/b/a name)
Waiver Referral Date:	NOVEMBER 1, 2024
Investigations Section: Reviewed by Bradford D. Jones	(Initial & Date)
The attached "Request for Waiver" file has been reviewed for forwarded to the Licensing Section.	[·] completeness and accuracy, and has been
Licensing Section: Reviewed by: CH 01/10/2025 (Initial & Date)	(Initial & Date)
Is the applicant currently under suspension, has unpaid fines or racing jurisdiction?	s, or has been refused a license by any gaming
[] Yes or [√] No If yes, in what jurisdiction?	
Executive Director: (Initial & Date)	
[] Prepare Waiver or [] Prepare File for Commission Re	eview
Comments:	
Investigative Findings:	
<u>mroouguaro r mango</u> .	
(2nd Degree) and Fleeing or Attemptin – Adjudicated Guilty on September 15	- Fleeing or Attempting to Elude High Speed ng to Elude – Felonies – Pled Nolo Contendere 5, 2022 - Sentenced to Community Control for ommunity Control converted to Probation I, 2024.

February 8, 2024 FGCC – Final Order issued, denying ANDERSON'S Application and Request for Waiver due to the above felony convictions (PMW Case #2023 03 7859).



Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

WAIVER INVESTIGATIVE REPORT

Office: PMW	Region: CENTRAL		Date of Complaint: OVEMBER 1, 2024	Case Number: 2024 06 2658		
Respondent:	ULITIAL		Complainant:			
ANDERSON, GA 1007 WANDERI DELTONA, FLC	ER DRIVE DRIDA 32738		DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309			
Phone: (386) 47	3-5509 e # / Type:		Profession:	Report Date:		
	390 / 1012	Ca	rdroom Employee	NOVEMBER 22, 2024		
	Period of Investigation	:		Type of Report:		
	er 1, 2024 – Novembe			Final		
 Basis of Investigation: This investigation is predicated upon submission of Garrett ANDERSON's State of Florida Pari-Mutuel Wagering Occupational License Application dated, August 20, 2024, and Waiver Request Form dated, October 1, 2024. On, August 20, 2024, ANDERSON applied for a PMW Individual Occupational License to work as a Poker Dealer at Orange City Racing and Card Club (175). On his application, he answered "Yes" to the question, on page 2 of the application, "Have you ever been convicted of, or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you?" ANDERSON disclosed a 03/01/2022, conviction in Volusia County, Florida for Evading and Eluding. On September 13, 2024, PMW Licensing sent ANDERSON a Deficiency Letter, requesting the court disposition records and arrest(s) reports for the following charges: 						
On October 9, 202	24, PMW Licensing rec	ceived the	requested documents from	m ANDERSON.		
Investigations Spe	ecialist II / Date		Approved by Invest	tigations Manager / Date		
Isi Lee Ann	Rounds		1st Part To	he hange		
	/ November 22, 2024			on / December 9, 2024		
Chief of Investigations / Date Bradford D. Jones / December 27, 2024						

CRIMINAL HISTORY

	Arrest 1							
Da	te of Arrest:	Arresting Agenc						
02	/25/2022	Volusia County S	heriff's Office					
	OFFENSE							
	CLASSIFICATION PLEA DISPOSITION CONVICTION DATE							
1	Evading Or Atter	mpt to Elude High	Felony 2nd	Nolo	Guilty	09/15/2022		
	Speed		Degree	Contendere				
2	2 Feeing Or Attempt to Elude		Felony 3rd	Nolo	Guilty	09/15/2022		
			Degree	Contendere				

SENTENCE 24 months Community Control (house arrest); one year Driver's License Suspension, attend an Advanced Driving Improvement Course and pay \$651 in Court Costs/Fines.

Additional Information: October 2, 2023, Respondent did have Community Control converted to Probation for the remainder of his sentence. Probation was competed on September 14, 2024.

	Arrest 2							
Da	te of Arrest:	Arresting Agency:						
			OFFENSE					
			CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE		
1								
2								
3								
4								

SENTENCE	
	SENTENCE

ADDITIONAL LICENSES

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?		Х

1. License Type: 1012/Cardroom Employee Occupational						
Date Licensed: 11/17/2017	Expiration Date: 06/30/2020	License #: 11565390	Agency or Jurisdiction: FGCC			
	00/30/2020	11565590		YES	NO	
				IL3	NO	
Has License ever	been suspended or	revoked?			Х	
Was any derogatory information received?				Х		
Additional Comments: On September 11, 2023, ANDERSON's application for a Cardroom						
license was denied due to his felony convictions (Case 2023 03 7859. On 02/01/2024, a Final						
Order was issued	Order was issued denying ANDERSON's request for Waiver.					

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

3. License Type:							
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdiction:				
				YES	NO		
Has License ever	been suspended or	revoked?					
Was any derogato	ory information recei	ved?					
Additional Comments:							

4. License Type:							
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdiction:				
				_	_		
				YES	NO		
Has License ever	been suspended or	revoked?					
Was any derogato	ory information recei	ved?					
Additional Comments:							

WAIVER INTERVIEW

		YES	NO				
Was a Waiver Interview Conducted?		Х					
Date of Interview:	Location of Interview:						
11/08/2024	Orange City Racing and Card Club						
		YES	NO				
Was the applicant cooperative?		Х					
Additional Comments: ANDERSON did list one arrest and conviction on his application. He also							
did explain the arrest incident as listed in the law enforcement reports.							

SUMMARY OF INTERVIEW:

During my interview, **ANDERSON** stated that he had met up with some acquaintances at a bar and decided to go bar-hopping with them. As they left the bar, his friends teased him about racing his new Dodge Charger against another guy's Ford Mustang, so he agreed to do it. **ANDERSON** mentioned that he saw the police but did not stop because he was afraid the police would think he was street racing and impound the car he had just bought, so he continued driving in an attempt to get home. He further explained that after fleeing from the police, he stopped at a gas station, got out of the car, and ran on foot. He then tried to report his car as stolen and provided his location to the authorities. However, the police officer could tell he was lying, and **ANDERSON** was subsequently arrested. **ANDERSON** also said he had a small amount of marijuana and an opened bottle of alcohol in the car. He described his time spent in jail as frightening, calling it a disgusting place and a horrible experience, and he expressed that he never wants to be arrested again.

ANDERSON said he obtained an attorney and entered a plea of no contest, resulting in two years of house arrest, with the possibility of probation after serving one year. He said he discovered his PMW license had been revoked when he attempted to renew it in 2023.

ANDERSON indicated that he does not have any relatives in the industry and that he enjoyed his job as a poker dealer. He expressed a desire to return to this career, mentioning that he has lived in his current home for over ten years and is currently unemployed. He denies having any issues with drugs or alcohol, claiming to be an occasional drinker, and asserts that he has no current civil or criminal cases against him.

CONCLUSION:

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

Case Status: Closed by Investigations and forwarded to Licensing.

TABLE OF CONTENTS

I.	INVESTIGATIVE REPORT COVERSHEET1
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	3. Rap Sheet
	4. Supporting Docs: ARCI / Def. Letter / Other
	5. Final Orders1-11



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2)

2024 OCT 28 PM 12: 32

FLORIDA GAMING CONTROL COMMISSION

2024 OCT -9 PM 3: 33 FLORIDA GAMING CONTROL COMMISSION

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION DIVISION OF PARI-MUTUEL WAGERING www.figaming.gov

TO: Garrett Anderson

Date of Birth

11565390

Individual/Org. Number

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

For Pari-Mutual and Cardroom Applicants:

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

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

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

For Cardroom Applicants Only:

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

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

UNTIL YOU ARE LICENSED:

You are not permitted to engage in any activity which requires a peri-mutuel occupational losnes or a cardroom license at any peri-mutuel facility in Florida. If you are found to be working without a license, you will be subject to arrest for trespassing and your waiver request may be denied.

You are forbidden from accessing any of the restricted areas of any pari-mutuel facility in Florida.

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

Signature of Applicant

10-1-81 Data

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

FGCC PMW 3180, Effective 09-01-2020, Rule 75-6.001, F.A.C.

2024 SEP -4 AM 7: 55

FLORIDA GAMING Control commission

Florida Gaming Control Commission Division of Pari-Mutuel Wagering FGCC PMW-3120 – Individual Occupational License Application

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

	DEM	OGRAPH	IC INFORM	ATIC	DN 🕸 📚		法建筑	Kaj	199 A	斯的影	
Social Security Number	Birth Date	(M	M/DD/YYYY)		Gender						
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A	First			Aidd	e				Suffix		
	samett			+							· · · · · · · · · · · · · · · · · · ·
Have you used, been known as, or calle the name used on the application?	d by another Yes 🖬	name (ex No	ample – maide	en na	ame, pse	udon	ym, nicl	knam	e) or a	alias o	ther than
If yes, list the name or names used:	-		· ····								:
Race/Ethnicity (optional) J. Black or African American J. White or Caucasian J. White or Caucasian					h.] Na] Oth		erica	n or A	laskar	n Native
Current Mailing Address			Email Address	(opti	onal)			-	•		-
1007 Wanderer Drive					· · ·					<u>.</u>	
City Deltona	State FL	Zip Code 327	e (+4 optional) 3%		Country	, if ot	her tha	n US	A		
Primary Phone Number (386)473-5509	L	÷	Secondary/(Cell	Phone N	umbe	r (optioi	nal)			
Current Street Address 1007 Wanderer Dr.	· · · · · · · · · · · · · · · · · · ·		-L'					<u></u>			· · · · · ·
City	State		e (+4 optional)		Country	, if ot	her tha	n US	A		
Deltong Type of Occupational License applying for: General Individual Cardroom Employee Occupation: Poker Dealer									iness:		
Does your position require access to the	Cardroom?			ls t	his vour f	irst tir	ne app	vina	for a r	acing	aamina
🗹 Yes 🖬 No	÷ .		-	Is this your first time applying for a racing/gaming license in Florida?							
Are you a Supervisor, Manager, or Shan	eholder of a	pari-mutu	el permitholder	?				Yes	M	No	
Do you own or lease animals intended Stable Name, Kennel Name, or B Trainer Name (horse or greyhoun	usiness Nan	ne	No No	6	K Yes	, com	plete th	e foll	owing		
TO BE COMPLETED BY DO		Fee Flicter Port	the second se			AME	DICS,	AND	EMT	SON	ILY,
Type of professional license (attach a co professional license):	ppy of Florida		Florida Licer	nse l	Number	•					
License Code 1012 License # 11565390 File # 10552 App # 78346											
Association Code 9(2) Date License Fee 00 FP Date	Received_	9 -9 -8- 84	$\frac{\mathbf{Y}}{\mathbf{FP} \operatorname{Fee}} = \frac{3}{2}$	а Ву 72	4	65284	Licens lotal Fe	frankir Strani	" <u> </u> 37	25	2
Off Temp U Walver Re	equested		RCI		Enforcer	nent			, D	Min	or
FGCC PMW-3120, Effective 09-01-2020, Ru	ile 75-5.001, F	A.C.		Li	C U. N6 N	ni-li Nați	y m	у Е Р	X Xhibi 'age		Page 2 of 3

2024 SEP - 4 AM 7: 55

	ACKGROL	JND INFO	RMATION ANNACH ADDI	IONAL PAGES AS	NEEDED)						
Yes Have you ever been convicted of, or had adjudication@Coultryothing for, a felony or misdemeanor involving forgery, No larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?											
☑ Yes Have you □ No criminal c	ever been co harges again	onvicted of st you? If y	or had adjudication withheld for res, the court disposition records	any crime, or pled guil s for all convictions list	ty or nolo contendere to any ed must be submitted with this						
DATE OF DISPOSITION	COUNTY	STATE	etails in the section provided be OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE						
2022, mar-1	Volusia	FL	evading and eluding	felony	2 year house arrest						
			g license suspended, revoked, section provided below.	or denied in this or an	y other state or country? If						
Q, Yes Is any rac	ing or gamin	g license yo	u hold currently suspended or s jurisdiction(s) of licensure and g	subject to other discipli	ne, such as an unpaid fine?						
If you answered yes	to any of the	questions a	bove, provide details here:								
INCOSE Was (CC CC	nica du	e to My one and done mist	ake.							
<u></u>		-									
	The Art State	PLE	ASE READ AND SIGN BEL	<u>ow</u>							
Statute. In this instan 653, 654; and Sectio screening of applicar Social Security numb purposes pursuant to Pub.L. 193, Sec. 317 I hereby authorize th to the Florida Depart history records that n me directly from the 16.30-16.34. I unde subsequent arrest no in any such report. I history are set forth i my challenge before Applicant's Privacy R Each application for oath or affirmation by required by law. I certify that I am em signature on this ap application and to th that falsification of an	nce, disclosu ns 409.2577 nts and licens pers must als o the Person e Florida Gai ment of Law hay pertain to Federal Burn rstand that in this fications <u>an</u> am aware if n F.S. 943.0 the Division lights is avail a license or in the applicar powered to e plication has e best of my ny informatio	re of Social , 409.2598, sees by a T o be record al Responsion Enforcement o me. I under that procedure that procedure 56 and Title makes a fin able on the renewal of a t, or owner execute this the same knowledge n on this approximation	of Social Security numbers is Security numbers is mandatory and 559.79, Florida Statutes. itle IV-D child support agency to led on all occupational license a bility and Work Opportunity Re of Commission, Division of Pari- nt (FDLE) for the purpose of ac- erstand that I am able to obtain a stigation (FBI) pursuant to Title ints may be retained at FDLI entitled to challenge the accura- ures for obtaining a change, co 28, CFR, Section 16.34. I may al determination about my state Division's website. a license issued by the Florida or or chief executive of the applica- application as required by Sec legal effect as an oath or affit all information contained on to oplication may result in adminis gree to abide by and obey all in	v pursuant to Title 42, l Social Security number o assure compliance v applications and are us conciliation Act of 199 Mutuel Wagering, to s cessing and reviewing a national criminal histo 28, Code of Federal E and the FBI for th acy and completeness prection, or updating v obtain a prompt dete us as a licensee. A co Gaming Control Comm ant without the need for tion 559.79, Florida St rmation. I declare tha his application is true strative action, includin	United States Code, Sections ers are used to allow efficient with child support obligations. sed for licensee identification 96 (Welfare Reform Act), 104 ubmit a set of my fingerprints Florida and national criminal ory record that may pertain to Regulations (CFR), Sections e purpose of providing any of any information contained of the FDLE or FBI criminal mination as to the validity of py of the Noncriminal Justice nission shall be signed under or witnesses unless otherwise tatutes. I understand that my at I have read the foregoing and complete. I understand of fines up to \$1,000, denial,						
Horrott	anderson		, pursuant to Section 550.105, F	8/2	0/24						
Signature of Appli	cant			Date							
	······	•	,		Exhibit 1 Page 3/4						

										FAQ	Help	Sign Ou
VR Home	Inbox	Entity	Application	License	Ca	ash	Exam	Inspect	ion	Enforce	nent	Report
License Sea	irch E	ntity Search	Modify L	icense Standi	ng	Mai	ntain Lice	nse CE Co	ntrol			
Domain 100 -	Domain 100 - Division of Pari-Mutuel Wagering Logged in as: Imoore											
VR Home >	License S	Search > L	icense Hom	e								
License											Licer	nsee
Fed Tax #		Lic Typ	1012 - Car e Employee Occupatio		Expi	res O	n 06/30/ 2	2023			His Not	tory tes
File # 1	0552	Nam	GARRETT	Т	Extend	ded T	0					History
License # 1	1565390	Ran	CEMP - Ca k Employee Occupatio	R	enew	/ed O	n					
Entity # 1	1565390	Lic Statu	s Applic Der	nied								
Address												
Street # 10	07 Stree	t WANDE	RER DRIVE									
Line 2												
Line 3												
City DE	ELTONA	s	state FL		Zip	327	38					
	Ro	outing										
Other												
1st License	Date 07/ 1	1 4/2020 F	Rank Date 07	/14/2020	Certi	ficate	#					
	thod I-S-		atus Date 09									
Fee Ex	empt No		Birth Date	R	enew	/al Se	nt					
Select												
Action	******											
Modifiers												
×												
Туре 📬	Modifie	r	Ť.,	Effective Date	1	Addi Info	tional	† ↓				
С	DEAL - D	**********************		07/06/2020								
		Greyhound		11/17/2017								
L	Club, Inc	~~~~~		11/17/2017								
Y	3YR - 3	Year Licen	se	11/17/2017				annan				
Alt Keys	BEST LIC	NBR 115	65390									

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Exhibit 1 Page 4/4

								FAQ I	Help Sign Out		
VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspectio	n Enforcement	Report		
License Sea	rch En	tity Search	Modify L	icense Standir	ng Ma	intain Lice	ense CE Co	ntrol			
Jomain 10 - I	Division of	Pari-Mut	tuel Wagerin	g				Logge	d in as: charris		
VR Home >	Complaint	Search >	Maintain Co	mplaint > Lie	cense Ho	me			01/09/20		
License									Licensee		
			1012 - Car						History		
Fed Tax #		Lic Type	 Employee Occupatio 		Expires (On 06/30 /	2023		Notes		
File # 1	0552	Name			xtended [·]	Го		N	otes History		
			GARRETT CEMP - Ca						Back		
License # 1	1565390	Ranl	k Employee Occupatio	R	enewed (Dn					
Entity # 1	1565390	Lic Statu:	s Applic Der								
Address								reviously Licen			
Street # 100	07 Street	WANDER					*N	lo Temp Issued			
Line 2							/*N	*No ARCI Findings *CCIS findings *No additional enforcement			
Line 3							*C				
City DE	ELTONA	S	tate FL		Zip 32	738	*N				
	Rou	uting					ca	ses.			
Other											
1st License	Date 07/14	4/2020 R	ank Date 07	/14/2020	Certificat	e #					
	thod I-S-1		atus Date 09								
Fee Ex	empt No	E	Birth Date	R	enewal S	ent					
Select											
Action) 199.						
Modifiers											
X											
Type ቱ	Modifier		t	Effective Date	Ado †4 Info	litional	÷.				
С	DEAL - De	ealer		07/06/2020							
	GHND - G	~~~~~	annenenenenenenenenenenenenen	11/17/2017							
L	143 - Day Club, Inc.	tona Bead	ch Kennel	11/17/2017							
Y	3YR - 3 Y	ear Licens	se	11/17/2017							
Alt Keys	BEST LIC N	NBR 1156	65390								

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Division of Pari-Mutuel Wagering Licensing Administrator Review of Occupational License

ANDERSON, GARR	ANDERSON, GARRETT T - 11565390 2024-062658										
(Applicant's	Name- License #)			Case No:							
	CATION RECE) :	9/4/2024							
Application De	and a state of the second s	Sussidenti i i sossi i i		10/9/2024							
If no Request fo	r Waiver receive	ed, 90	Deadline:	1/7/2025							
Waiver Requested: 🔲			, F.S., the processing timeline rec d 10/09/2024	quirement has been waived.)							
HC Application Processor	nondukineks anatomina adaman anatomina ayay. Isana adamini adamini adamini adami	est Volusia ty (d/b/a n	Racing, Inc.	1012-Dealer Occupation Code / Job Title/Job Title							
Pursuant to Section 550.105(5)(a): The division or has unpaid fines in another j been convicted in this state, in any other st laws of this state involving arson; trafficking	sion may deny a license of any urisdiction. The division may de ate, or under the laws of the Uni in, conspiracy to traffic in, smu or has had a pari-mutuel licens	person who ny, suspend ted States ggling, impo e revoked b	b has been refused a license by a d, revoke, or declare ineligible any of a capital felony, a felony, or an orting, conspiracy to smuggle or in orting, state or any other jurisdiction	ny other state racing commission or racing authority; under y occupational license if the applicant for such license has offense in any other state which would be a felony under the mport, or delivery, sale, or distribution of a controlled on for an offense related to pari-mutuel wagering.							
	Licensii		ninistrator Review								
Did the application accurate	ely reflect the Crimin			Yes No							
Was a deficiency letter issu											
Felony(s): Count(and a second			ed / Gambling Related / Bookmaking							
Animal Cruelty (Pari-Mu		Jenaut									
Comments:											
Arrest Location Date	Charge	Level	Court Case #	Disposition (or Unknown)							
2/25/2022 Volusia County, FL	Charge 1-Fleeing Or Attempting to Elude High Speed Charge 2-Fleeing Or	F	642022CF100408XXXADL 642022CF100408XXXADL	Adjudicated Guilty Adjudicated Guilty							
	Attempting to Elude Charge 3-Fail To Obey Traffic Control Device-	F	642022CF100408XXXADL	Administratively Dismissed							
	Sign Charge 4-Fail To Obey Traffic Control Device- Sign	F	642022CF100408XXXADL	Administratively Dismissed							
Check V/D Lissness D. L.		CONTRACTOR OF CONTRACTOR	d Licenses								
Check VR License Relation				s, complete sections below.							
Business License Number:			ness Name:	s, complete sections below.							
Has a deficiency letter beer	issued to the busin			t be licensed? Yes 🗌 No 🗍							
Date Deficiency Letter Issue		Initial									
Comments:			Ministerio de la Constancia de Calendaria de Calendaria de Calendaria de Calendaria de Calendaria de Calendaria	nin an							
		A CONTRACTOR OF A CONTRACTOR O	ninistrator Review								
Disqualifying Convictions/A		ositior Yes	No	Approval L L							
Forward to Investigati		econiciti desserva esta esta esta esta esta esta esta est	mmission Initial								
Comments:				- up Ip web							



UCENEDU



Nø

Picture Available

Licensee:Garrett T. Anderson

Reports on Garrett T. Anderson Comprehensive Ruling Report Drug Ruling Report (Last 5 Years) Comprehensive Licensee Report

Identification Information Add a New Identification Record Date of Birth Sex Federal ID/SSN Country USA Unknown Name Information Add a New Name Record Name Type Prefix First Name Middle Name Last Name Suffix Current Legal Name Garrett T. Anderson Address Information Address Type Street Address Zip Code City State Phone Information Phone Number Type Phone Number License Information Add a New License Record License Number License Type Issued Date Expiration Date Licensing Commission Other/OTB/Casino 11565390 7/14/2020 6/30/2023 Florida Division of Pari-Mutuel Wagering Other/OTB/Casino 7/6/2020 10/4/2020 Florida Division of Pari-Mutuel Wagering Other/OTB/Casino 12/14/2017 6/30/2020 Florida Division of Pari-Mutuel Wagering Other/OTB/Casino 11/17/2017 2/15/2018 Florida Division of Pari-Mutuel Wagering Fingerprint Information Add a New Fingerprint Record Processing Commission **RCI** Card Submitted Date Date Taken Status Notes **Ruling Number** Ruling Type Ruling Date Fine Fine Paid? Suspension Start Suspension End

<u>Applicable Reports</u> Comprehensive Ruling Report Comprehensive Licensee Report Admin Licensees Rulings Horse Tracking Bulletin Board Preferences Log Off

7th. Judicial Circuit 707 Charging Affidavit - Volusia			Arrest #	#	Bk #	Pg #	of3			
		DULT 🛛 JUV		Court Case 2022 1	00409 CFD	L				
(ORI) FL: FL0641000 Agency Name	ORANGE CITY POLICE DEP	PARTMENT		Igency Case	00577					
FCIC/NCIC Check? X Yes No OBTS#		ł		Date mested: 02-25-202	22	Time of Arrest: 022	3			
ADDRESS OF ARREST (Street, City, State, Zip):			Arrested:		- fa	ID				
300 Blk Maytown Rd OSTEEN NAME (Last) DEFENDANT Anderson	(First)	(Middle)	A.K.A.:	on,Samuel		Sex:	1243 Race:			
DOB: Age: Driver's Lic./	Garrett	{5	State: Y	'ear	S.S.# -	M	W			
28 ID No.: Height: Weight: Hair:	Eyes: P.O.B.		FL E	xpires: 2027			Statement:			
5' 09 140 BLN Scars, Marks,	HAZ (City, Stat Business	te, Country)Sanfo &	rd		FL		Yes No X Citizenship:			
Tattoos:	Occupatio	on:					Yes 🗙 No			
Probation: Yes No Sexual Predator: Address - Mailing/Permanent (STREET, APT.	Yes No X	Clinginshi Yes		(STATE)	eaf/Mute: ZIP COD	Yes No	DENCE PHONE			
1007 Wanderer Dr		DEI	TONA	FL	32738					
Address - Local (STREET, APT.		(Cl	-	(STATE)	ZIP COD		DENCE PHONE			
Address - Other (Employer/School) (STREET, APT.	NUMBER)	(CI	FY)	(STATE)	ZIP COD	E BUS/S	SCHOOL PHONE			
CHARGES DOMESTIC VIOLENCE? Yes Attachments	: Affidavit(s)? Statemen			eport 🔲 Traffic Infra	action(s) 🗙	DUI Total Charg	es: 1			
#1 Charge: Flee/Att.Elude LEO w/Lights/Sirens Active FEL		ORD: 316.1935(2	2)	Citation No.: A1CO	NEP	Bond: 2500.00)			
#2 Charge: FEL		RD:		Citation No.:		Bond:				
#3 Charge: FEL		RD:		Citation No.:		Bond:				
	Fel. Misd. Traf.	Ord. 🗌 NTA 🗌	Co-Def #2. Arres	sted? Y N	Fel. Misd.	Traf. Ord.				
#1 NAME (Last) (Fire	it)	(Middle)	Race:	Sex:	DOB:		Age:			
#2 NAME (Last) (Fire	it)	(Middle)	Race:	Sex:	DOB:		Age:			
	ifies and swears that there	is probable ca	use to believe	the above-name	d defendant					
on the <u>25</u> day of <u>February</u>										
at 2800 Bik Enterprise Rd ORANGE CITY	within <u>Volusia</u>		County	, violated the law	and did the	in and there:				
 bound on enterprise rd in the 2500 blk. The vel when the vehicle passed me. This area is well were shining directly on to Enterprise Rd and I above the posted speed limit of 45mph. I visual vehicle in the approximately 2800 blk of Enterp zone. I was driving my fully marked patrol vehicl lights and siren to conduct a traffic stop. It should south bound on Enterprise Rd. The other vehicl lights and sirens. The target vehicle failed to stop any other drivers on the roadway. It was obviou I notified dispatch of the fleeing vehicle and deat the vehicle. I observed the vehicle travel south 	bound on enterprise rd in the 2500 blk. The vehicle was a 2021 model bearing Florida License Plate was stationary in my patrol vehicle when the vehicle passed me. This area is well lighten with street lights and the visibility is high. The way my patrol vehicle was parked my headlights were shining directly on to Enterprise Rd and I had a clear well view of the vehicle as it passed me. I visually observed the vehicle to be traveling well above the posted speed limit of 45mph. I visually estimated the vehicle to be traveling at 70 mph. I pulled out behind the vehicle and caught up to the vehicle in the approximately 2800 blk of Enterprise Rd. When I was behind the vehicle I began to pace the vehicle. I activated my emergency blue/red lights and siren to conduct a traffic stop. It should be noted the vehicle I attempted to conduct a traffic stop on was racing another unknown vehicle south bound on Enterprise Rd. The other vehicle who was next to this target vehicle immediately began to slow and pull over upon activating my lights and sirens. The target vehicle failed to stop and began to drive at a higher rate of speed estimated at over 100mph using no due care/safety for any other drivers on the roadway. It was obvious he was attempting to flee by making no attempt to stop.									
	YOU NEED NOT APPEAR IN INSTRUCTIONS ON THE RE				FINE, AND AMOUNT:	COSTS				
I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFF BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE							t			
						IUVE DISP.				
		SIGNAT	JRE OF JUVENILE I	PARENT OR CUSTOD	`	NO.				
SIGNATURE OF DEFENDANT	Date		RELATIONSHIP TO	JUVENILE						
Sworn to and subscribed before me, the undersigned this <u>25</u> day of <u>February</u> , <u>2022</u> , Name: Notary Public Law Enforcement or Corrections Officer <i>Personally Known</i> Produced Identification	I swear/affirm the above statement		IE PLAINANT'S SIGNA	ATURE OC1243		Rt Thumb				
Type of Identification:				ID NOWBER		EXHIBI				
	Inmate Number					PAGE	1/24			
OFFICIAL USE ONLY	& Facility:									

02/25/2022 04:06:27 AM Clerk of the Circuit Court, Volusia County, Florida

Pg # 2 of 3

		Volusia
latia	a to Appear Instruction Sheat	Court Case
	e to Appear Instruction Sheet these instructions according to the boxes checked.	Number: Agency Case Number:
] м⊲	andatory Court Annearance You MUST and	pear at COURT. You will receive a Notice of Arraignment from the County Clerk's
	• • • • • • • • •	ailure to appear at the time and place designated, will result in a warrant being issued for your arrest.
] Co	ourt Appearance Not Mandatory You MUST	comply with EITHER A or B:
	РАҮМЕ	INTS SHOULD BE MADE PAYABLE TO:
		CLERK OF THE COURT.
Α.	Office checked below, from 8:00 a.m. to 4:	ver information below and either mail or personally present this citation at the Clerk's 30 p.m., Monday through Friday within 15 days of the issuance of this Notice to onal check, money order or certified check made payable to: Clerk of the Court .
	Total fine and costs you must pay: \$	
В.	the 15th day falls on a Saturday, Sunday o	that a court date be set within 15 days of the issuance of this Notice to Appear (if r legal holiday, the period is extended to the next working day) by either appearing a.m. at the Clerk's Office checked below, or by mailing your written request to the pelow.
С	OUNTY CLERK'S OFFICES:	
	☐ Volusia County Courthouse, room B155	, 101 N. Alabama Avenue, Deland, FL, 32724
	Court House Annex, room 109, 125 E. 0	Drange Avenue, Daytona Beach, FL, 32114
	☐ Volusia County Courthouse, room 6, 12	4 N. Riverside Drive, New Smyrna Beach, FL, 32169
	understand that if I willfully fail to reque	as designated above to answer the listed charge(s) or pay the fine and costs. I st a court date and/or fail to appear before the court as required by this Notice to and costs on or before the date set forth above, I may be held in contempt of court and a
	DEFENDANT'S SIGNATURE (MANDATO	RY):
lf y en St	titled, at no cost to you, to the provision e.300, Daytona Beach, FL 32114; Telepho	S eds any accommodation in order to participate in this proceeding, you are of certain assistance. Please contact Court Administration, 125 E. Orange Avenue, ne: 386-257-6096 within two (2) working days of your receipt of this notice: If you 5-8771 or 1-800-955-8770. THIS IS NOT A COURT INFORMATION LINE.
PI	ea and Waiver Information	
lf t	his notice indicates that you have the option	to pay a fine or appear in court and you choose to pay the fine, follow the instructions in This page MUST be returned to the clerk's office with your fine payment.
-	In consideration of my not appearing in co	urt, I enter my plea on the affidavit in this case, for the offense charged, waiving my affidavit. I understand the nature of the charge(s) against me and hereby enter my plea
2.	In doing so, I understand the nature of the	, charge(s) against me, I understand that I waive my right to counsel, the right to a trial nuance, and the right to appeal. Payment of this fine will result in adjudication of guilt

to this charge being withheld. 3. By my signature, I acknowledge that I understand the above statements. I am not under the influence of alcohol or drugs. I also certify that my address listed below is correct.

Defendant's Signature:		Date:			
	(First)	(Middle)	(Last)		
Defendant's Name (print):				EXHIBIT #2 PAGE 2/24
Defendant's Address:					

Na	arrative 707-B	Arrest	M						
Sι	Ipplement	Affidavit	pear 🗌 Juvenile	Court Case	Page #	3 of 3			
	fendant ^(Last)	(First)	(Middle)	Number: Agency Case		3 01 3			
	me: Anderson CHARGES DOMESTIC VIOLENCE? Yes	Garrett		Number: 220000577	Report Traffic Infraction	a) 🔽 Total			
	CHARGES DOMESTIC Yes		Affidavit(s)?	Statement(s) NTA Schedule	Report Traffic Infraction(Citation No.:	s) 🔼 Charges: 1 Bond:			
#	Charge:			FS/ORD:	Citation No.:	Bond:			
#	Charge:			FS/ORD:	Citation No.:	Bond:			
#									
Bepuly Marty was in the area of Garfield and Doyle Rd and observed the vehicle at which point the attempted to conduct a traffic stop at which point the vehicle field from him as well. See VSO case #VP220003912 for details. This was at approximately 0124/36 hours per CAD. Depuly Maetis was set up east of Deputy Marty at Doyle Rd.Lub. In with stop sticks where he was able to successfull deploy his stop sticks and defats the vehicle for invehicles from. The vehicle continuent of drive east bound on Doyle Rd. This was at approximately 0124/36 hours per CAD. Deputy Marty then located the vehicle unoccupied, locked with the vehicle until additional Law Enforcement Officer anival. approximately 01272 hours per CAD. Due yield what we backed a while male same build and hair out as the DEF from the back welfing south approximately 01272 hours per CAD. Due yield was located. Units on scene then began to BOLO the area. At approximately 0145:19 hours per CAD the registered owner/DEF called into 911 wanting to report his vehicle stolen. The DEF explained he was not Maytown Rd walking. Deputy Barty Marty was located. The DEF was read his Miranda Rights by Deputy Bryant from a pre-printed card. The DEF stated he was at his friend "Ryant" house all night and the recent yielf "Ryant" house approximately 20 minutes prior to calling 911 to report his vehicle stolen. The DEF stated "Ryant" house all night and the recent yielf "Ryant" house approximately 20 minutes biofor calling 911 to report his which card which well-de and it was stole. The DEF was read his Miranda Rights by Deputy Bryant from a pre-printed card. The DEF stated he wasked well-de and "Ryant" house all right and the recent Parts and the was located. The VEF stated he walked outside of "Ryant" house 20 minutes biofor calling and aw his car gene, which "Ryant" "Payat" "house all right and the recent years' to accent the whole well astare how alked outside of "Ryant" and the strate the walked wa									
Que	n to and subscribed before me, the undersigned	1	waar/affirm the above at	taments are correct and true		Diaht Thumh			
	-	, [Isw	vear/amm the above at	mements are correct and true		Right i numb			
Nam	e: //								
Nota	ry Public Law Enforcement Officer	X		OFFICER'S/COMPLAINANT'S SIGNAT	TURE				
Pers	onally Known 🔀 Produced Identificatio	on 🗌 Ha	arralson,Samuel		OC1243				
Туре	of Identification:	NA	ME (PRINTED)		ID NUMBER	1			

7th. Judicial Circuit 707 Charging Affidavit - Volusia			Arrest #	#	Bk #	Pg #1	of4
		ADULT 🛛 JU		Court Case 2022 1			
(ORI) FL: FL0640000 Name	VOLUSIA COUNTY SH	HERIFF'S OFFICE		Igency Case	03912		
FCIC/NCIC Check? X Yes No OBTS#				Date mested: 02-25-202		Time of Arrest:	
ADDRESS OF ARREST (Street, City, State, Zip):			Arrested:		.2	ID	~
ENTERPRISE RD/WELLNESS AV ORANGE CI	(First)	(Middle)	A.K.A.:	Y,REUBEN		Sex:	Race:
DOB: Age: Driver's Lic/	GARRETT	Т	State: Y	'ear	S.S.# -	M	W
28 ID No.: Height: Weight: Hair:	Eyes: P.(.O.B.	FL E	Expires:			Statement:
5' 09 175 BRO Scars, Marks,		City, State, Country):SANF usiness &	FORD		FL		Yes No X Citizenship:
Tattoos:	Oc	ecupation:	57 []		eaf/Mute:	K	Yes No
Probation: Yes No Sexual Predator: Address - Mailing/Permanent (STREET, APT.	Yes No X	165	ITY)	(STATE)	ZIP CODE	Yes No 🕅 RESI	DENCE PHONE
Address - Local (STREET, APT.		DE		FL (STATE)	32738 ZIP CODE		DENCE PHONE
		•	-				
Address - Other (Employer/School) (STREET, APT.	NUMBER)	(U	ITY)	(STATE)	ZIP CODE		SCHOOL PHONE
	s: Affidavit(s)? 🗙 Sta			eport 🗙 Traffic Infra	action(s) 🗙	DUI Total Charge	es: 1
#1 Charge: Flee/Att.Elude LEO w/Lights/Sirens Active FEL	🗙 misd 🗌 ord 🗌	FS/ORD: 316.1935()	2)	Citation No.:		Bond: 2500	
#2 Charge: FEL		FS/ORD:		Citation No.:		Bond:	
#3 Charge: FEL		FS/ORD:		Citation No.:		Bond;	
	Fel. Misd. Traf.	. Ord. NTA	Co-Def #2. Arres	sted? Y N	Fel. Misd.	Traf. Ord.	
#1 NAME (Last) (Firs	at)	(Middle)	Race:	Sex:	DOB:		Age:
#2 NAME (Last) (First	a)	(Middle)	Race:	Sex:	DOB:		Age:
	tifes and support that	itara ia probable a		the above name	-l defendant		
	tifies and swears that t					-	
on the <u>25</u> day of <u>February</u>		, at approxim					
at GARFIELD RD/ DOYLE RD DELTONA	within Volusia	à	County	, violated the law	and did then	and there:	
1 ***BWC***							
2	Denuty Morty			to the error of F	Name and America	-UD-ulo Dd	Delfano
 On February 25, 2022 at approximately 0119 h in reference to an Orange in color Dodge Charg 							
5 #(OC220000577). 6		-					
7 Upon arriving in the area of Doyle Rd/Garfield F							
 8 immediately turned around to get behind of the 9 orange Charger cross over a double yellow line 							
10 emergency lights and observed the aforemention	oned vehicle continu	ue to accelerate at	t a high rate of	speed as to elu	ude and flee t		
 Deputy Marty notified dispatch and responding Deputy Marty notified Deputy Nealis the locatio 						sh Ln. Deltor	a. The
13 stop sticks were effective and deflated the drive	er's side front and rea	ear tire. Deputy Ma	arty then lost s	ight of the vehic	cle before obs	serving it aga	ain parked
 14 at the Circle K parking lot located at 320 SR 41 15 from the aforementioned vehicle walking at a st 						roximately 20 and n	
	YOU NEED NOT APPE				FINE, AND CO	OSTS	
NOTICE TO APPEAR APPEARANCE	INSTRUCTIONS ON TH	HE REVERSE SIDE	OF YOUR COPY		AMOUNT:		
BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE					ILL BE ISSUED.		,
			THE AR BRIEFING		JU	SP.	
		INNUIC		PARENT OR CUSTOD	NO.	ATION	
SIGNATURE OF DEFENDANT	Date		RELATIONSHIP TO	D JUVENILE			
Sworn to and subscribed before me, the undersigned this <u>25 day of February</u> <u>2022</u>	I swear/affirm the above stat	ements are correct and tr	rue			Rt Thumb	
Name: , , , ,		\checkmark					
Notary Public Law Enforcement or Corrections Officer) OFFICER'S/COM	MPLAINANT'S SIGNA			1	
Personally Known 🗙 Produced Identification	MARTY, REUBEN NAME (PRINTED)			9086 ID NUMBER		_	
Type of Identification: 9061						EXHIB	
OFFICIAL USE ONLY	Inmate Number & Facility:					- PAGE	⊶/∠4
	<u> </u>						

Pg #____of___4

		Volusia
latic	to Appear Instruction Sheet	Court Case
Notice to Appear Instruction Sheet Follow these instructions according to the boxes checked.		Number: Agency Case Number:
] м	andatory Court Appearance You MUST apr	pear at COURT. You will receive a Notice of Arraignment from the County Clerk's
		ailure to appear at the time and place designated, will result in a warrant being issued for your arrest.
] Co	ourt Appearance Not Mandatory You MUST	comply with EITHER A or B:
	РАҮМЕ	INTS SHOULD BE MADE PAYABLE TO:
		CLERK OF THE COURT.
Α.	Office checked below, from 8:00 a.m. to 4:3	ver information below and either mail or personally present this citation at the Clerk's 30 p.m., Monday through Friday within 15 days of the issuance of this Notice to onal check, money order or certified check made payable to: Clerk of the Court .
	Total fine and costs you must pay: \$	
B	the 15th day falls on a Saturday, Sunday o	that a court date be set within 15 days of the issuance of this Notice to Appear (if r legal holiday, the period is extended to the next working day) by either appearing a.m. at the Clerk's Office checked below, or by mailing your written request to the below.
С	OUNTY CLERK'S OFFICES:	
	☐ Volusia County Courthouse, room B155	i, 101 N. Alabama Avenue, Deland, FL, 32724
	Court House Annex, room 109, 125 E. (Drange Avenue, Daytona Beach, FL, 32114
	☐ Volusia County Courthouse, room 6, 12	4 N. Riverside Drive, New Smyrna Beach, FL, 32169
	understand that if I willfully fail to reque	as designated above to answer the listed charge(s) or pay the fine and costs. I est a court date and/or fail to appear before the court as required by this Notice to and costs on or before the date set forth above, I may be held in contempt of court and a
	•	
	DEFENDANT'S SIGNATURE (MANDATO	KT):
lf er Sf	ntitled, at no cost to you, to the provision te.300, Daytona Beach, FL 32114; Telepho	S eds any accommodation in order to participate in this proceeding, you are of certain assistance. Please contact Court Administration, 125 E. Orange Avenue, one: 386-257-6096 within two (2) working days of your receipt of this notice: If you 5-8771 or 1-800-955-8770. THIS IS NOT A COURT INFORMATION LINE.
_		
	lea and Waiver Information this notice indicates that you have the option	to pay a fine or appear in court and you choose to pay the fine, follow the instructions in
		This page MUST be returned to the clerk's office with your fine payment.
1.		urt, I enter my plea on the affidavit in this case, for the offense charged, waiving my affidavit. I understand the nature of the charge(s) against me and hereby enter my plea st) □.
2.		e charge(s) against me, I understand that I waive my right to counsel, the right to a trial nuance, and the right to appeal. Payment of this fine will result in adjudication of guilt

3. By my signature, I acknowledge that I understand the above statements. I am not under the influence of alcohol or drugs. I also certify that my address listed below is correct.

Defendant's Signature:				Date:	
	(First)	(Middle)	(Last)		
Defendant's Name (print	t):				EXHIBIT #2
Defendant's Address: _					PAGE 5/24

	arrative 707-B	Arrest	🗙 Adult						
	Ipplement	Notice to Appear	r 🗌 Juvenile	Court Case Number:	Page #	3 of 4			
	fendant ^(Last) me: ANDERSON	(First) GARRETT	(Middle) T	Agency Case Number: 220003912					
	CHARGES DOMESTIC VIOLENCE? Yes	Attachments: Affic	Javit(s)? 🗙	Statement(s) NTA Schedule	Report 🛛 Traffic Infraction(s) 🗙 Total Charges: 1			
#	Charge:	FEL MISD		FS/ORD:	Citation No.:	Bond:			
#	Charge:	FEL MISD		FS/ORD:	Citation No.:	Bond:			
#	Charge:	FEL MISD		FS/ORD:	Citation No .:	Bond:			
<u>//</u> 16	contact with the Circle K employee wh	o advised she did	not see any	one walk away from the vehicl	e and was unable to provide	deputies with video			
$\begin{array}{c} 178\\ 190\\ 222\\ 222\\ 222\\ 222\\ 222\\ 222\\ 222\\ 2$	 Deputies then queried the Charger through FCIC/NCIC which showed Garrett Anderson (D1) as the registered owner of the vehicle. At approximately 0146 hours, Central Communications advised Anderson was calling on 911 where he advised he wanted to report his vehicle as stolen. Anderson the net totate the had been wilking at a friends house and when he went to retrieve a cigarette from out of his vehicle he noticed it was missing. Anderson advised he had been wilking on Osteen Maytown Rd, Osteen until he was able retrieve service on his cell phone. Anderson was unable to provide an address for his friend's residence. Deputies then made contact with Anderson who was located at 395 Osteen Maytown Rd, Osteen. It should be noted Anderson was located approximately half a mile from where his vehicle was parked and matched the description and statute of the white male who was walking south on SR 415, Osteen. Deputies observed Anderson to be nervous, intoxicated and appeared to have perspiration on his person. Anderson advised he had been dirking at his friend "Ryan" shouse the entire day and did not leave until approximately 30 minute prior to him calling 911. Anderson advised he bad been divised Anderson advised he entire day and did not leave until approximately 30 minute prior to him calling 911. Anderson advised he advised he only owned one set at the time because he lost the original when he purchased the vehicle. Deputies were unable to retrieve video surveillance footage from the Circle K located at 320 SR 415, Osteen and video surveillance footage from the Circle K located at 320 SR 415, Osteen and video surveillance footage from the footherad to the reserveit his his 2424 242 K 113 hours and did not return. Based on the totality of circumstances probable cause was established to charge Anderson with the act fleeing and eluding with lights and sirens active and missue of 911. After a search incident to arrest, deputies retrieved two receipts located								
0	in to and subastical before the state of the state of	1 1	officen the state			Dialet Theory			
Swo	rn to and subscribed before me, the undersigned	, I swear/a	aurm the above sta	atements are correct and true		Right Thumb			
Nam		,	$1 \sim$	\checkmark					
	ary Public Law Enforcement Officer	X		OFFICER'S/COMPLAINANT'S SIGNAT	URE				
Pers	conally Known 🔀 Produced Identification		Y,REUBEN		9086				
Туре	e of Identification:		PRINTED)		ID NUMBER	PAGE 6/24			

Form 707-A	/Fireh)				Juvenile	Court Numbe	er:		P	age # 4 of 4
Defendant (Last) Name: ANDERSON	(First) GARRETT	(Middle T	e) Agei Num	ncy C 1ber:	ase	220003912				
Name: (Last)	(First)	(Middle	e) Vic Wit		Race:	Sex:	Age:	DOB:	SSN	
Address (#, Street, City, State):			I		Zip:		Home: Phone:		State	ment: Yes No
Bus/School Address:					•		Zip:		Bus: Phor	e:
Relative/ Contact Name			Relative/Conta Address:	act			ł		Phor	e:
Name: (Last)	(First)	(Middle			Race:	Sex:	Age:	DOB:	SSN	:
Address (#, Street, City, State):					Zip:		Home: Phone:		State	Yes No
Bus/School Address:					-		Zip:		Bus: Phor	e:
Relative/ Contact Name			Relative/Conta	act					Phor	
Name: (Last)	(First)	(Middle	Address: e) Vic		Race:	Sex:	Age:	DOB:	SSN	:
Address			Wit		Zip:	M 🗌 F [Home:		State	ment:
(#, Street, City, State):					Ζιρ.		Phone:			Yes No
Bus/School Address:							Zip:		Bus: Phor	e:
Relative/ Contact Name			Relative/Conta Address:	act					Phor	e:
Name: (Last)	(First)	(Middle	e) Vic Wit		Race:	Sex:	Age:	DOB:	SSN	:
Address (#, Street, City, State):			I		Zip:		Home: Phone:		State	Ment: Yes No
Bus/School Address:							Zip:		Bus: Phor	e:
Relative/ Contact Name			Relative/Conta Address:	act					Phor	e:
Name: (Last)	(First)	(Middle	e) Vic Wit		Race:	Sex: M F	Age:	DOB:	SSN	:
Address (#, Street, City, State):			!		Zip:		Home: Phone:		State	ment: Yes No
Bus/School Address:							Zip:		Bus: Phor	
Relative/			Relative/Conta	act					Phor	
Contact Name Name: (Last)	(First)	(Middle	·		Race:	Sex: M _ F [Age:	DOB:	SSN	:
Address			Wit		Zip:		Home:		State	ment:
(#, Street, City, State): Bus/School							Phone: Zip:		Bus:	Yes No
Address: Relative/			Relative/Conta	act	1				Phor	
Contact Name			Address:						Phor	e:
		E\	VIDENC	CE	COLI	ECTED		Madel Os del/LD, Number		
Description of Evidence SEE PROPERT PAGE		_				Date Recover	bd	Model Serial/I.D. Number		Drug Amount
Owner Name (Last)	(First)	(Address)						(Phone)		Value
Description of Evidence						Date Recover	ed	Model Serial/I.D. Number		Drug Amount
Owner Name (Last)	(First)	(Address)						(Phone)		Value
Description of Evidence						Date Recover	ed	Model Serial/I.D. Number		Drug Amount
Description of Evidence						Date Recover	ed	Model Serial/I.D. Number		Drug Amount
Description of Evidence						Date Recover	ed	Model Serial/I.D. Number		Drug Amount
Description of Evidence						Date Recover	ed	Model Serial/I.D. Number		Drug Amount
Description of Evidence						Date Recover	ed	Model Serial/I.D. Number		Drug Amount
Description of Evidence						Date Recover	ed	Model Serial/I.D. Number		Drug Amount
Description of Evidence						Date Recover	ed	Model Serial/I.D. Number		Drug Amount
certify that the foregoing is a vitnesses/victims & evidence	complete list of	MARTY,RE	UBEN				\bigcirc	9086	v	EXHIBIT # cso PAGE 7/24

STATE OF FLORIDA

VS.

GARRETT T ANDERSON W/M; DOB

CLASSIFICATION: FELONY

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT, IN AND FOR VOLUSIA COUNTY, FLORIDA, IN THE YEAR TWO THOUSAND TWENTY TWO

CASE NO: 2022 100408 CFDL 2022 100409 CFDL AGENCY: OCPD/220000577 VCSO/220003912

INFORMATION

CHARGE(S):

FLEEING OR ATTEMPTING TO ELUDE HIGH SPEED

II) FLEEING OR ATTEMPTING TO ELUDE

R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of the State of Florida and as such prosecuting attorney for this Court, in the name of and by the authority of the State of Florida charges that:

COUNT I: GARRETT T ANDERSON on or about February 25, 2022, in the County of VOLUSIA and State of Florida, did willfully flee or attempt to elude a law enforcement officer of the Orange City Police Department in an authorized law enforcement patrol vehicle with agency insignia and other jurisdictional markings prominently displayed on the vehicle with siren and lights activated, and during the course of the fleeing or attempting to elude drove at high speed, or in any manner which demonstrated a wanton disregard for the safety of persons or property, contrary to Florida Statute 316.1935(3)(a). (2 DEG FEL)

COUNT II: IN THAT GARRETT T ANDERSON on or about February 25, 2022, in the County of VOLUSIA and State of Florida, did operate a vehicle, having knowledge that he had been ordered to stop such vehicle by a duly authorized law enforcement officer of the Volusia County Sheriff's Office, did willfully refuse or fail to stop the vehicle in compliance with such order or, having stopped in knowing compliance with such order, did willfully flee in an attempt to elude the officer, contrary to Florida Statute 316.1935(1). (3 DEG FEL)

FOR THE STATE ATTORNEY AMY IL WALKER

Bar No. 0163023 ASSISTANT STATE ATTORNEY SEVENTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA 101 NORTH ALABAMA AVENUE 2015 DELAND, FL 32724 (386) 822-6400 ESERVICEVOLUSIA@SAO7.ORG

17 1 E U

5

COUNTY OF VOLUSIA

STATE OF FLORIDA

Personally appeared before me AMY L WALKER, Assistant State Attorney, for the Seventh Judicial Circuit of the State of Florida, known to me to be the foregoing prosecuting officer, who being duly sworn, says that the allegations set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged. Subscribed in good faith. Said facts based on testimony of material witnesses.

SWORN to and subscribed before me this _Ol day of March, 2022.	
Submitted to the Clerk of the CIRCUIT	house
Setti Tomi Lin Francisco May 91 2023	EXHIIT #2
Ronded Thru Troy Fain Insurance 800-385-7019	PAGE 8/24

Court, Seventh Judicial Circuit, in and

For VOLUSIA County, Florida, on the

,

.

_____ day of March, 2022.

-

× -

NOTARY PUBLIC AT LARGE STATE OF FLORIDA

EXHIBIT #2 PAGE 9/24

IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT IN AND FOR VOLUSIA COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO: 2022 100408 2022-100409

vs.

Garrett Anderson DEFENDANT

<u>PLEA</u>

- 1. I, <u>Garrett Anderson</u>, the defendant herein, withdraw my previously entered plea(s) of Not Guilty, and enter plea(s) as follows:
 - () Guilty (*) Nolo Contendere to <u>Flecing or Attempting to Elude</u>, a <u>2</u> degree felony/misdemeanor () Guilty (*) Nolo Contendere to <u>Flecing or Attempting</u> to <u>Eluding</u>, a <u>3</u> degree felony/misdemeanor
- 2. I understand that if the Court accepts my plea(s) I give up my right to a trial, at which I would have the following rights: (1) to have a jury determine whether I am guilty or not guilty, or to have a judge make such a determination in a non-jury hearing; (2) to see and hear witnesses testify and to have my lawyer question them for me; (3) to subpoen and present witnesses and items in evidence in my defense and to present any defense I might have to a jury or judge; (4) to testify or remain silent: (5) to require the prosecutor to prove my guilt by admissible evidence beyond a reasonable doubt before I can be found guilty. I further understand that I give up my right to appeal all matters except court rulings entered after this plea is entered, an illegal sentence, or the court's authority (jurisdiction) to hear my case, and I agree to pay all costs and attorneys fees of any appeal which I attempt to pursue on any other subject. My lawyer has explained to me what an appeal is, and I understand that changing my mind about entering this plea, after it is accepted, will not require the court to let me withdraw it, nor will it make the court's sentence illegal or deprive the court of authority to sentence me.
- 3. I understand that a plea of "Not Guilty" denies that I committed the crime charged. I also understand that a plea of "Guilty" admits I committed the crime charged, a "Best Interest Guilty" plea and a plea of "Nolo Contendere" mean I do not contest the state's evidence against me. By entering the above plea(s) I am voluntarily submitting myself to the court's sentencing authority. I understand that if the court accepts my plea(s), there will be no trial, and the court will impose sentence based on my plea(s). I agree that a factual basis for the court to accept my plea(s) is contained in documents in the court file, including the complaint affidavit(s). I understand that if I am not a citizen of the United States, I may be deported. I understand that the court may impose monetary penalties/assessments to include fines, courts costs, restitution (if applicable) and/or other fees.
- 4. I have read the Information or Indictment in this case, and I understand the charges to which I am pleading. I stipulate that there is a factual basis described in court documents to support the charge(s) against me. My lawyer has explained to me: the maximum and minimum penalty(ies) for the charges against me, including enhanced sentencing laws for which the state has given my lawyer notice; the essential elements of the crime(s) I am charged with, and all defenses I might have. I understand that if I am on parole or probation in any other case, this plea can cause that parole or probation to be revoked and I can receive a separate sentence up to the maximum allowed by law for that (those) case(s).
- 5. No one has promised me anything to get me to enter this (these) plea(s), except as stated herein. My lawyer has not promised me that I will receive a specific sentence. The judge has made no promises as to what sentence I will receive, other than a lawful sentence. Unless the judge accepts this plea as a "conditional plea" and those words appear in the space below, the judge is not required to follow any state or defense recommendation regarding sentence. If I receive a sentence of probation, I may be required to serve time in the county jail as a condition of probation. The state recommends the following sentence:

24 months Community Control , 1 year PL suspension (no bjecti	ON IN OPEN COURT
	1 -
to hardship); ability to control to proba	HUN SEP 1 5 2022
at the half way point. Advanced driving improvement course	
	Elerk Circuit & County

- No one has pressured or forced me to enter this (these) plea(s). I am entering this (these) plea(s) because I am guilty of the idea County, Figure crimes charged or I believe it is in my best interest to do so. I am doing this voluntarily and of my own free will.
- 7. I understand that my sentence will be imposed under the Sentencing Guidelines that apply to my case, unless I qualify for enhanced penalties under Chapter 775, Florida Statutes, or other statutes. If no enhanced sentence is requested or applies, I understand that the court can impose a sentence exceeding the guideline range only by stating clear and convincing reasons under the guidelines law. If the court imposes a sentence exceeding the guidelines range, I will have the right to withdraw my plea(s) or appeal the sentence, unless enhanced penalties apply and are lawfully imposed. No representations or promises have been made to me regarding "gain time," "good time," "early release," or any credit toward my sentence, which I understand the court and my lawyer cannot affect. Only the Department of Corrections can calculate a release date.

#2

This paragraph applies if this or another case against me involves a sex-related charge (even if a reduced charge). My lawyer PAGE 10/24 has explained the mandatory, statutory conditions of sex-offender probation, including the requirement to wear a GPS monitor at all times, and the law of involuntary civil commitment under the Involuntary Civil Commitment of Sexually Violent Predators Act, or similar statutes.

- 9. I understand and agree that if the judge permits me to remain at liberty pending sentencing, I must notify my lawyer, my bondsman and/or pretrial services officer (if any), and the Clerk of Court of any change of my address. I also understand that if a Pre-Sentence Investigation (PSI) is ordered and I fail to appear for an appointment with the Department of Corrections for the PSI interview, the court can revoke my release and place me in jail until the PSI is completed or until sentencing.
- I understand that if I willfully fail to appear for sentencing, any conditions of a "conditional plea" will no longer be binding upon the judge, and that I may be sentenced to any lawful sentence that could be imposed without the conditions.
- 11. I can read, write, speak and understand the English language or have had an interpreter read this document to me in my native language with my lawyer present. I have $\underline{12}$ years, or equivalent, of education (example: high school or GED = 12 years). I am not under the influence of any drug, medicine or alcohol at the time I sign this plea form. I am not suffering from any mental problems at this time that affect my understanding of this document, other than as explained to the judge on the record in open court, or as reflected in the court file.
- 12. I have read and understand every printed or handwritten word in this plea form and have discussed it with my lawyer. I am fully satisfied with the services of my lawyer and have had ample opportunity to discuss this case and my plea(s) with my lawyer. I have told my lawyer everything I know about my case. No one, including my lawyer, has made any promises or representations to me which modify or contradict this plea document, other than what I have told the judge in open court.

SIGNED, or acknowledged, in open court in 100050 County, Florida on 9152022

CERTIFICATE OF DEFENDANT'S ATTORNEY

I hereby certify that as counsel for the Defendant, I have discussed this case with my client and explained the rights, defenses and evidence relating to it with him/her. I have discussed this written plea form with my client and have answered all of his/her questions regarding it. In my professional opinion, as an officer of the court, the defendant understands everything in this plea form, his/her rights, and the consequences of this(these) plea(s). His/her plea is being made freely, voluntarily and knowingly. I have made no promises or representations to my client which modify or contradict this plea document.

DEFENDANT TE OF ASSISTANT STATE ATTORNEY I confirm that the recommendations set forth in this plea form are the recommendations of the Office of the State Attorney. The State has complied with the Victim Rights statute, if applicable. 602205 TANT STATE ATTORNEY WILLIAN ORDER ACCEPTING PLEA The foregoing plea document was received and accepted in open court. The Defendant signed, or acknowledged signing,

The foregoing plea document was received and accepted in open court. The Detendant signed, of acknowledged signed, this document while under oath and subject to the penalties of perjury. The court finds the plea to be freely and voluntarily entered and that a factual basis exists in the record for the court to accept it. By accepting this plea(s), the court is not required to follow any state or defense recommendation stated herein, unless a "Conditional Plea" is fully described in paragraph 5, above.

Accepted by the court. CIRCUIT JUDG

EXHIBIT #2 PAGE 11/24

Revised: November 2012

	Probation Violator	
	Community Control Violator	
	Retrial	
	Resentence	In the Circuit Court, 7th Judicial Circuit
STATE	E OF FLORIDA	in and for Volusia County, Florida
v.		Division CRIMINAL 07
GARR	ETT THOMAS ANDERSON	Case Number 2022 100408 CFDL
vj , °j∰⊛,		JUDGMENT

The defendant, GARRETT THOMAS ANDERSON, being personally before this court represented by HAILEY MARK,

the attorney of record, and the state represented by WILLIAM BUSCH, and having



 \boxtimes

been tried and found guilty by jury of the following crime(s)

entered a plea of guilty to the following crime(s)

entered a plea of nolo contendere to the following crime(s)

Count	Crime	Offense Statute Number(s)	Degree of Crime	Case Number	OBTS Number
1	FLEEING OR ATTEMPT TO ELUDE HIGH	316.1935(3)(a)	F/S	2022 100408 CFDL	6406081356
2	FLEEING OR ATTEMPTING TO ELUDE	316.1935(1)	F/T	2022 100408 CFDL	6406081356

and no cause being shown why the defendant should not be adjudicated guilty, **IT IS ORDERED THAT** the defendant is hereby **ADJUDICATED GUILTY** of the above crime(s)

and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD.

and having been convicted or found guilty of, or having entered a plea of nolo contendere or guilty, regardless of adjudication, to an offense specified in section 943.325, Florida Statutes, the defendant shall be required to submit blood or other biological specimens.

EXHIBIT #2 PAGE 12/24

IN OPEN COURT SEP 1 5 2022

Clerk Circuit & County Court Volusia County, FL

STATE OF FLORIDA

-VS-

GARRETT THOMAS ANDERSON Defendant

IN THE SEVENTH JUDICIAL CIRCUIT COURT, IN AND FOR VOLUSIA COUNTY

CASE NUMBER 2022 100408 CFDL

DC NUMBER <u>**B61437**</u>

Local Jurisdiction Identification Number:

ORDER OF COMMUNITY CONTROL

This cause coming before the Court to be heard, and you, the defendant, being now present before the court, and you having

	entered a plea of guilty to			been found guilty by jury verdict of
\boxtimes	entered a plea of nolo contendere to			been found guilty by the court trying the case without a jury of
Case	e # <u>2022 100408 CFDL</u>	Count I	Fleeing	or Attempt to Elude High Speen, a Second Degree Felony
Case	# 2022 100408 CFDL	Count II	Fleeing	or Attempting to Elude, a Third Degree Felony

SECTION 1: JUDGMENT OF GUILT

The court hereby adjudges you to be guilty of the above offe	ense(s).
--	----------

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on Community Control for a period of <u>Twenty four (24) Months</u> under the supervision of the Department of Corrections, subject to Florida law.

SECTION 2: ORDER WITHHOLDING ADJUDICATION

Π

Now, therefore, it is ordered and adjudged that the adjudication of guilt is hereby withheld and that you be placed on Community Control for a period of ______ under the supervision of the Department of Corrections, subject to Florida law.

SECTION 3: INCARCERATION DURING PORTION OF SUPERVISION SENTENCE

It is hereby ordered and adjudged that you be:

committed to the Department of Corrections for a term of ______prison with credit for _____ jail time, followed by Community Control for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.

confined in the County Jail

or

for a term of _____ with credit for _____ jail time. After you have served _____ of the term, you shall be placed on Community Control for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.

confined in the County Jail for a term of ______ with credit for ______ jail time, as a special condition of supervision.

IT IS FURTHER ORDERED that you shall comply with the following standard conditions of supervision as provided by Florida law:



09/20/2022 01:38:12 PM Clerk of the Circuit Court, Volusia County, Florida

- (1) You will report to the probation officer as directed.
- (2) You will pay the State of Florida the amount of <u>\$50.00</u> per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
- (3) You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (4) You will not possess, carry or own any firearm. You will not possess, carry, or own any weapon without first procuring the consent of your officer.
- (5) You will live without violating any law. A conviction in a court of law is not necessary for such a violation of law to constitute a violation of your probation, community control, or any other form of court ordered supervision.
- (6) You will not associate with any person engaged in any criminal activity.
- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician, an advanced practice registered nurse, or a physician assistant. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
- (11) You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substances.
- (12) You will submit a DNA sample, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
- (13) You will submit to the taking of a digitized photograph by the department. This photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.
- (14) You will report in person within 72 hours of your release from incarceration to the probation office in <u>VOLUSIA</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>334 E. NEW YORK AVE. DELAND,FLORIDA.</u>

EXHIBIT #2 PAGE 15/24

SPECIAL CONDITIONS

- 23. Pay \$1 per month during the term of probation or community control to supplement rehabilitative efforts through First Step Funds, pursuant to s. 948.039(2), F.S.
- \boxtimes 24. You shall pay to the Department of Corrections a <u>\$2.00</u> per month surcharge for each month you are under supervision pursuant to Section 948.09(1)(2), F.S. For the period of time cost of supervision is waived, this condition does not apply.
- 27. Other: Your driver's license is suspended for a period of one year.
- 28. Other: You will enroll and successfully complete an approved Advanced Driving Improvement Course as directed by your officer. You will pay the cost of said program. (enroll within 60 days of today)
- 29. Other: The Defendant will submit to warrantless searches of person, car and home.
- 30. Other: You will not possess any weapons, firearms or ammunition.
- 31. Other: You may perform community service at a rate of \$15.00 per hour in lieu of court cost.
- 32. Other: You may convert Community Control to Probation at the halfway point with a letter to the Court.

AND, IF PLACED ON COMMUNITY CONTROL, YOU WILL COMPLY WITH THE FOLLOWING CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:

- (15) You will report to your officer as directed, at least one time a week, unless you have written consent otherwise.
- (16) You will remain confined to your approved residence except for one half hour before and after your approved employment, public service work, or any other special activities approved by your officer.
- (17) You will maintain an hourly accounting of all your activities on a daily log, which you will submit to your officer on request.

(18) You will successfully complete ____ hours of community service at a rate of _____, at a work site approved by your officer. Additional instructions ordered: _____

(19) You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay for the cost of the electronic monitoring service.

Effective for offenders whose crime was committed on or after September 1, 2005, there is hereby imposed, in 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.

EXHIBIT #2 PAGE 16/24

Effective for offenders who are subject to supervision for a crime that was committed on or after May 26, 2010, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s. 943.0435(1)(h)1.a.(I), or a similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense; the following conditions are imposed in addition to all other conditions:

(a) A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The court may also designate additional locations to protect a victim. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, child care facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a child care facility or school.

(b) A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas; wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

Effective for offenders whose crime was committed on or after October 1, 2014, and who is placed on probation or community control for a violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, in addition to all other conditions imposed, is prohibited from viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material unless otherwise indicated in the treatment plan provided by a qualified practitioner in the sexual offender treatment program. Visual or auditory material includes, but is not limited to, telephone, electronic media, computer programs, and computer services.

YOU ARE HEREBY PLACED ON NOTICE that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

IT IS FURTHER ORDERED that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

IT IS FURTHER ORDERED that you pay: Court Costs, Fees, and Fines, as imposed at sentencing, in the total amount of: \$ 651.00

Payments processed through the Department of Corrections will be assessed a 4% surcharge pursuant to s. 945.31, F.S. Pursuant to s. 948.09, F.S., you will be assessed an amount of \$2.00 per month for each month of supervision for the Training Trust Fund Surcharge.

- Court Costs/Fines Waived
- Court Costs/Fines in the amount of _____ converted to _____ community service hours

Court Costs/Fines in the amount of reduced to civil judgment.

SPECIFIC INSTRUCTIONS FOR PAYMENT: _____

IT IS FURTHER ORDERED that the clerk of this court file this order in the clerk's office and provide certified copies of same to the officer for use in compliance with the requirements of law.

Done and Ordered on 15th day of September, 2022

:37 PM 2022 100408 CF EXHIBIT #2 PAGE 17/24

e-Signed 9/20/2022 1:37 PM 2022 100408 CFDL CIRCUIT JUDGE I acknowledge receipt of a certified copy of this order and that the conditions have been explained to me and I agree to abide by them.

Date:				
]	Defendant	
Instructed by: S	pervising Officer		I HEREBY ATT of the origi da	ATE OF FLORIDA EST the following is a true copy nal filed in this office. The y of, Arcuit and County Court
			By	
				Deputy Clerk
opies To: ounsel for the state: ounsel for the defen		U.S. Mail U.S. Mail	inter	roffice/hand delivery roffice/hand delivery
	hat a copy hereof has been furnished to this day of		the defendant by t	he method indicated
			LAURA I	E. ROTH
	5	COURT CALL	CLERK OF CIF	CUIT COURT
	A CHARTER AND	By:		
		With the second	Deputy	Clerk

EXHIBIT #2 PAGE 18/24

COPIES TO:

Counsel for the state: eService

Counsel for the defendant: eService

I do certify that a copy hereof has been furnished to counsel for the state and the defendant by the method indicated above, done this 20 day of September _____, 2022_____.



Laura E. Roth CLERK OF CIRCUIT COURT 00408 CFDL BY: Casey L. Beason :45 PM 2022 100408 CFDL 0

eSigned: 09/20/2022 01:45 PM 2022 100408 CFDL

EXHIBIT #2 PAGE 19/24

	In The Circuit Court Seventh Judicial Circuit, In and For Volusia County, Florida	,
STATE OF FLORIDA	Case No. 2022 100408 CFDL	
v. GARRETT THOMAS ANDE	Division: 07	
Defendant Address: 1007 WANDERER DR		
DELTONA, FL 32738		
	Order/Final Judgment for Charg	
	(Costs are assessed b	by case)
The above named defendant is he	ereby ordered to pay the following sums, if checked: Mandatory Costs (Select one)	
\$ 418.00 Felony Star		8.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.06
	sault & Battery § 938.01(1), 938.03, 938.05, 938.15, 775	.083(2), 939.185(1)(a), 938.19(2), 938.08, 938.085, 938.06
\$ 451.00 Felony Trat	ffic § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 9	39.185(1)(a), 938.19(2), 318.18(17), 318.18(13)(a), 938.06
§ 586.00 Felony DU		1)(a), 938.19(2), 938.07, 318.18(17), 318.18(13)(a), 938.06
		5, 775.083(2), 939.185(1)(a), 938.19(2), 938.10(1), 938.06
§ 613.00 Felony BUI		083(2), 939.185(1)(a), 938.19(2), 938.07, 327.35(9), 938.06
	Stl/Battery-Minor § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939 ckless Driv. § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938	9.185(1)(a), 938.19(2), 938.08, 938.085, 938.10(1), 938.06
		38.19(2),516.192, 518.18(17),518.18(15)(a),518.18(20),958.06 3.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.085, 938.06
	me Agst.Minor & Rape Crisis §938.01(1),938.03,938.05,938.15, 775.0	
	Additional Mandatory Costs (Select all that a	
\$ 50.00 Indigency A	Additional Wandatory Costs (Select all that a) Application Fee/Public Defender	§ 27.52(2)(a)
	1- Additional Civil Penalty	§796.07(6)
	al-Civil Penalty	§327.35215(1)
	efense Cost/Fee (No less than \$100.00)	§ 938.29
	ney Cost of Prosecution (No less than \$100.00)	§ 938.27
S Mandatory	Costs/Surcharges-Not Primary Offense	§§ 938.08, and/or 938.085, and/or 938.10(1)
	Fines: (Select all that apply – Enter Amoun	t)
§ Fine & 5%	6	§ 316.193, 327.35, 775.083(1), 893.13, 893.135, 938.04
	e result death/injury-not exceed \$10,000)	§ 775.0835(1), 938.04
§ Fine & 5%	surcharge – Other (explain)	
	Discretionary Costs: (Select all that apply – Enter ed – FDLE Operating Trust Fund	
	d Drug Abuse Additional Cost (up to amount of fine)	§ 938.055 § 938.21, 938.23
	on Costs to VSO	§ 938.21, 938.23 § 938.27
$\square \ \$ \qquad \text{Other (expl}$		0
	Restitution (Select one)	
No restitution ordered.		ed to determine restitution upon motion of the State.
Restitution Ordered. To be p	paid in accordance with separate Restitution Order.	
	ts, and fees are due immediately and are payable to the Clerk of	
	ommunity control, payable to FL DOC, Probation & Parole, pursuan	
	lowing release from jail/prison and is payable to the Clerk of Court d is payable to the Clerk of Court for distribution.	for distribution.
Convert costs, fines, and fee		
	condition of probation, it is further ordered that Judgment is hereby	ventered in favor of the State of Florida, and/or Clerk
	venue, DeLand, FL 32724 and victim(s) for the sum of the above	
which let execution issue. (§ §	55.10, 960.295, Fla. Stat.) This judgment shall supersede any	previous judgment that may have been entered
	bove referenced case only. Fines/Costs/Fees which remain unp ction Eailure to pay as ordered may result in the suspension of	
	ction. Failure to pay as ordered may result in the suspension of	your Fiorida Driver Sizicetsy.
DONE AND ORDERED in Volu	usia County, Florida, this <u>15</u> day of <u>September, 2022</u> .	and for the main of the second second
		V V

CC: State Attorney Defense Counsel Probation & Parole (if applicable)

JAMES R CLAYTO Judge	ÈXHIBI PAGE	

e-Signed 9/15/2022 12:35 PM

09/15/2022 12:36:10 PM Clerk of the Circuit Court, Volusia County, Florida



(//www.dc.state.fl.us/index.html)

Florida Department of Corrections (//www.dc.state.fl.us/index.html)



"Inspiring Success by Transforming One Life at a Time"

Offender Search (/Offender S	earch/InmateInfoMenu.aspx) Vis	sit an Inmate (/ci/visit.html)
Correctional Institutions (/ci/index.html)	Probation Services (/cc/index.html) Programs (/development/index.html)
FDC Jobs (http://www.fldcjobs.con) Newsroom (/comm/index.htm	l) Statistics (/pub/index.html)

Partners (mailto:development@fdc.myflorida.com)

Corrections Offender Network

Supervised Population Information Detail

(This information was current as of 9/25/2022)



DC Number:	B61437
Name:	ANDERSON, GARRETT THOP
Race:	WHITE
Sex:	MALE
Birth Date:	
Supervision Begin Date:	09/15/2022
Current Location:	DAYTONA BEACH (http://pry wpws001.fdc.myflorida.com/c
Current Status:	ACTIVE
Supervision Type:	COMMUNITY CONTROL - PR
Scheduled Termination Date:	09/14/2024
VINELIAK CLICK HERE for Custody Status Updates	

(https://www.vinelink.com/vinelink/servlet/SubjectSearch? siteID=10000&agency=900&offenderID=B61437)

Current Verified PERMANENT Address:

1007 WANDERER DR DELTONA, FL 32738

Aliases:

GARRETT THOMAS ANDERSON

Note: The offense descriptions are truncated and do not necessarily reflect the crime for which the offender is on supervision. Please refer to the court documents or the Florida Statutes for further information or definition.

Current Community Supervision History:

EXHIBIT #2 PAGE 21/24

Offense Date	Offense	Sentence Date	County	Case No.	Community Supervision Length
02/25/2022	FLEE LEO/NO REGARD	09/15/2022	VOLUSIA	2210408	2Y oM oD
02/25/2022	FLEE/ELUDE LEO-FELONY	09/15/2022	VOLUSIA	2210408	2Y oM oD

First Previous Next Last Return to List	New Search	Record: 1 of 1

The Florida Department of Corrections updates this information regularly, to ensure that it is complete and accurate, however this information can change quickly. Therefore, the information on this site may not reflect the true current location, status, scheduled termination date, or other information regarding an offender.

This database contains public record information on felony offenders sentenced to the Department of Corrections. This information includes offenders sentenced or released to state supervision or offenders received for supervision from another 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>DAYTONA BEACH</u> <u>Circuit Office (http://prod.fdc-wpws001.fdc.myflorida.com/cc/07.html)</u>. This information is made available to the public and law enforcement in the interest of public safety.

<u>Search Criteria: (/OffenderSearch/search/search-aspx?TypeSearch=AO)</u> Last Name: anderson First Name: garrett Search Aliases: YES Offense Category: Supervision Type: ALL Supervision Status: ALL County of Supervision: ALL Current Location: ALL

<u>Current Status Definitions:</u> 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)

<u>About Us</u>	<u>Contact Us</u>			
<u>(http://www.dc.state.fl.u</u>	(http://www.dc.state.fl.us/ors			
	<u>Contact an Inmate</u>	Victim Services		
As Florida's largest state	<u>(http://www.dc.state.fl.us/ci/Contact</u>	Inm//www.htmld.state.fl.us/vict/index.html)	501 South Calhoun Street	
agency, and the third largest	Public Records	Inmate and Offender	- Tallahassee, FL 32399-2500	
5 57 5	(//www.dc.state.fl.us/comm/PRR.htm	<u>nl)Programming</u>	Tullahussee, 111 52 599 2 500	
prison system in the country,	Volunteer	(//www.dc.state.fl.us/development/inc	dex.html)	
FDC employs 24,000	(http://www.dc.state.fl.us/volunteer/indexnhemtions Foundation		Main: (850) 488-5021	
members, incarcerates	<u>File a Complaint</u>	(https://www.correctionsfoundation.or	Schone Directory	
approximately 80,000	(//www.dc.state.fl.us/apps/IGcompla	_	(//www.dc.state.fl.us/org/contact.html)	
inmates and supervises	<u>Organization</u>	(https://www.fcor.state.fl.us/index.sht	mt tizen Services	
nearly 146,000 offenders in	(//www.dc.state.fl.us/org/orgchart.ht	(//www.dc.state.fl.us/org/orgchart.html]nspector General		
5 1 7 55	<u>Regulatory Plan</u>	<u>(//www.dc.state.fl.us/ig/index.html)</u>		
the community.	(//www.dc.state.fl.us/pub/regulatory	/2011 rison Rape Elimination Act		
	<u>2018.pdf)</u>	(http://www.dc.state.fl.us/PREA/inde	<u>x.html)</u>	

EXHIBIT #2 PAGE 22/24

OfficerMcDonaldOffice LocationDeland 071Judge/DivisionRandell H. Rowe, III /07

STATE OF FLORIDA

VS

GARRETT THOMAS ANDERSON Defendant In the Circuit Court

Volusia County, Florida

DC No. <u>B61437</u> Docket/UC No. <u>2022 100408 CFDL</u>

ORDER OF MODIFICATION OF COMMUNITY CONTROL

THIS CAUSE was considered <u>on a request</u> to modify the terms of <u>Community Control</u> which was ordered on <u>September 15, 2022</u> by Circuit Judge <u>Randell H. Rowe, III</u> for a term of <u>twenty four (24) months</u>, in accordance with Florida Law. Having given due consideration, <u>Community Control</u> is modified in accordance with Section 948.03 Florida Statutes, in the following manner:

M1 The defendant's request to convert the remainder of Community Control to Probation is granted.

It is further ORDERED that the clerk of court file this order in the official records and provide certified copies to the officer for use in compliance with the requirements of the law.

DONE AND ORDERED ON THE 2nd DAY OF October, 2023

9/2023 4:59 PM 2022

e-Signed 10/9/2023 4:59 PM 2022 100408 CFDL Circuit Judge

A certified copy of this order was delivered to the Community Controllee on

Officer

STATE OF FLORIDA I HEREBY ATTEST the following is a true copy of the original filed in this office. The ______ day of ______, _____ Clerk of Circuit and County Court

Deputy Clerk

DC3-274 (Revised 12/20/17)

By

EXHIBIT #2 PAGE 23/24

Original: Copy: Court DC Offender File

10/09/2023 04:59:11 PM Clerk of the Circuit Court, Volusia County, Florida



FLORIDA DEPARTMENT of CORRECTIONS

Governor

RON DESANTIS

Secretary RICKY D. DIXON

http://www.dc.state.fl.us

501 South Calhoun Street, Tallahassee, FL 32399-2500

Date: October 14, 2024

RE:

TERMINATION OF SUPERVISION DC#B61437 DOCKET/UC NO: 2022 100408 CFDL COUNTY VOLUSIA SCHEDULED TERM <u>09/14/2024</u>

Garrett T Anderson DC#B61437 1007 Wanderer Dr. Deltona, FL 32738

Dear Mr. Anderson

You are hereby notified that you completed your term(s) of supervision on 09/14/2024, as referenced above, and are no longer under the supervision of the Department of Corrections.

During your term of supervision, $\underline{N/A}$ days of earned incentives were applied, as authorized in Florida Statute 948.05(2)(c) and/or (d).

Pursuant to Florida Statute 98.0751, if you were convicted of a felony offense, other than murder or a sex offense, you may be eligible to have your voting rights restored immediately upon the completion of all terms of your sentence, including, but not limited to any unpaid restitution, court costs, fees or fines.

Individuals who do not qualify for automatic restoration of voting rights under Florida Statute 98.0751, will not be qualified to vote until their civil rights are restored as outlined in Article IV, Section 8 of the Florida Constitution.

For additional information related to the restoration of voting rights process under Florida Statute 98.0751, contact the Supervisor of Elections in your county of release.

If you were adjudicated guilty and on supervision for a felony offense, please review the rules of Executive Clemency for information regarding the restoration of civil rights process for the following types of clemency: **RESTORATION OF CIVIL RIGHTS, PARDONS, PARDONS WITHOUT FIREARM AUTHORITY, FIREARM AUTHORITY, REMISSION OF FINES AND FORFEITURES**. This information and the application can be accessed on the following website: <u>https://www.fcor.state.fl.us/clemencyOverview.shtml</u> or call (850) 488-2952 or 1-800-435-8286.

Sincerely, M 0

Shavandis McDonald Correctional Probation Senior Officer *INSPIRING SUCCESS BY TRANSFORMING ONE LIFE AT A TIME *

Original: Offender Copy: Offender File Clerk of Court (if required) FCOR (if required)

EXHIBIT #2 PAGE 24/24

(Revised 8/22)

Right Side - Offender File

State of Florida

Florida Department of Business & Professional Regulation

Department of Business and Professional Regulation **Chronology Report**

Case #:	2024062658		Incident da	ite: 09/04/2024	Status: 116 - Sent t	o Legal			
Lic Type:	1012		Disposition	1:					
Case Type:	Complaint								
Responsible: elanier - LANIER, EBONIE									
Complainant:	DIVISION OF P	ARI-MUTU	EL WAGERI	NG					
	1400 W COMME	ERCIAL BL	VD, STE 16	5, FORT LAUDER	2DALE, FL 33309				
Respondent:	ANDERSON, G	ARRETT T							
	1007 WANDER	ER DRIVE,	DELTONA,	FL 32738					
Summary:	175 - WEST VO	LUSIA RAG	CING, INC						
Summary: Chronology:	175 - WEST VO <u>Effective Date</u>	LUSIA RAG	CING, INC Lic Type	Code	Description	Responsible Party	Respondent		
-			,	Code 50	Description Interview Respondent	Responsible Party	Respondent ANDERSON, GARRETT T		
-	Effective Date	Туре	Lic Type		•		ANDERSON,		
-	Effective Date	Type A	Lic Type	50	Interview Respondent	Imoore	ANDERSON, GARRETT T ANDERSON,		
-	Effective Date 11/08/2024 11/06/2024	Туре А А	Lic Type 10 79	50 435	Interview Respondent Telephone	Imoore	ANDERSON, GARRETT T ANDERSON, GARRETT T ANDERSON,		
-	Effective Date 11/08/2024 11/06/2024 11/04/2024	Type A A A	Lic Type 10 79 79	50 435 435	Interview Respondent Telephone Telephone	Imoore Imoore Imoore	ANDERSON, GARRETT T ANDERSON, GARRETT T ANDERSON, GARRETT T ANDERSON,		

C H January 09, 2025 14:45

nfa5 - Chronology Report

Page 1 of 2

Florida Department of Business & Professional Regulation

State of Florida Department of Business and Professional Regulation **Chronology Report**

Chronology:	Effective Date	Туре	Lic Type	Code	Description	Responsible Party	Respondent
	01/06/2025	R		charris	HARRIS, CYNTORIA	cstubbs1	
	11/01/2024	R		Imoore	ROUNDS, LEEANN	cstubbs1	
	01/04/2025	R		bjones	JONES, BRADFORD	bjones	
	01/09/2025	S	1012	116	Sent to Legal	charris	
	01/06/2025	S	1012	104	Sent to Licensing Section	cstubbs1	
	01/06/2025	S	1012	90	Closed	cstubbs1	
	01/04/2025	S	1012	165	Supervisor Review	bjones	
	11/01/2024	S	1012	20	Under Investigation	cstubbs1	
	11/01/2024	S	1012	10	Initial Review	cstubbs1	
Allegation:	Code	Descriptio	n				
	WAVR	Waiver of 0	Crim. Conv.	or Other Offenses			
Violation:	Code	Description	ı		R	lespondent	
	WAVR	61D-5.006			Ą	NDERSON, GARRETT	т

C H January 09, 2025 14:45

nfa5 - Chronology Report

								FA	Q H	elp Sign	Out
VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforce	ment	Report	
Complaint Search Change Recording License Type Delete Complaint Mass Activity Update Mass Discipline Update Mass Status Update Public Case Info Public Case Info											
Domain 10 - I	Division o	f Pari-Mu	tuel Wagering					Log	gged in	as: cstubt	bs1
VR Home > Complaint Search > Maintain Complaint											
Lic Type 1012 - Cardroom Employee 104 Sent to Occupational Status Date 01/06/20 Section Section								01/06/202	25		
Complaint #	20240626	58 C	ase Type CMP Com	- olaint ^D	isposition		[Dispositio	n Date		
Docket#		Resp	ondent ANDER GARRE	SON, Re	sponsible	charris HARRI CYNTC	S,			Private Case	
Complaint	Respo	ndent	Complainant	Addt'l Info)						1
Source	LIC - Lice	ensee	Security Le	evel 1			Parties		Ac	tivities]
Form	WALK - Walk-in Priority 1						Allegations		Discipline		
Class'n	IIIB - Wai	vers	Comple	xity R - Re	gular		Violations		Compliance		
Security	STND - S	tandard	Incid	lent 09/04/	2024		Related		Dis	position]
Region	CR - Cen Region	tral	Recei	ved 11/01/	2024		Inspection				
Reference							Costs				
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Exhibit 4 Page 1/8



Florida Gaming Control Commission

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

September 13, 2024

Mr. Garrett T Anderson 1007 Wanderer Drive Deltona, Florida 32738

RE: Application No. 78346, Entity 11565390 1012 - Cardroom Employee Occupational

Dear Mr. Anderson:

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

 Application is incomplete: 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.

You must provide the court disposition records and arrest report for the following charges:

Volusia County, FL Arrest(s) – 2/25/2022

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 850.794.8130.

If you fail to provide the Florida Gaming Control Commission with a complete application by 1/12/2025, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule. Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. Return the missing document and/or information to the address provided above, attention Office of Operations. If you have any questions please call 850.794.8130.

Additionally, if needed, any individual or business applicant may request a waiver of disqualifying factors in an application that would otherwise be grounds for denial. PMW 3180 - Request for Waiver and PMW-3195 - Request for Release of Information and Authorization to Release Information (forms enclosed). The Division will process a request for waiver upon receipt of a complete application.

Thank you,

HC Operations Analyst II You don't often get email from garretta61437@gmail.com. Learn why this is important

Dear Gaming Commission,

I hope this letter finds you well. I am writing to provide a heartfelt character reference for my brother, Garrett Thomas Anderson, who is currently being considered for the renewal of his gaming license as a poker dealer. I am his brother, Carl, and I want to express my unwavering support for Garrett during this challenging time.

Garrett is more than just a brother to me; he is a beacon of goodness and an invaluable member of our family. His outgoing nature, fun-loving spirit, and sarcastic sense of humor make him a joy to be around. Despite the circumstances that led to his current situation, I have never doubted his inherent goodness and his ability to learn from his mistakes.

One of Garrett's most admirable qualities is his willingness to lend a helping hand to anyone in need. I have witnessed him selflessly assist others countless times, always going the extra mile to ensure that those around him are taken care of. His genuine compassion and generosity are truly remarkable, and they exemplify the kind of person he is.

Garrett's passion for the game of poker is evident in every aspect of his life. As a poker dealer, he excels in his role due to his quick thinking, exceptional memory, and love for the game. His dedication and enthusiasm create a vibrant and enjoyable atmosphere at the poker table, enhancing the experience for all players. Garrett's professionalism and skill make him an invaluable asset in the gaming industry.

Beyond his professional endeavors, Garrett's impact on our family is immeasurable. He has always been a dependable and supportive presence in our lives. Not only does he contribute financially, ensuring that our family's needs are met, but he also provides emotional support and guidance when we need it most. Garrett's unwavering commitment to our family's well-being has made him an irreplaceable pillar of strength.

It is important to understand that the incident leading to Garrett's current situation was a regrettable mistake. It was an uncharacteristic act that does not reflect his true nature or his ability to be a responsible and law-abiding citizen. Prior to this incident, Garrett had a spotless record, demonstrating his commitment to leading a life of integrity.

In light of Garrett's exceptional character, dedication to his work, and the positive impact he has on our family, I wholeheartedly urge you to consider renewing his gaming license. Losing his current job would not only jeopardize his financial stability but also have a profound impact on our family's wellbeing. I firmly believe that Garrett has learned from this experience and will continue to be a valuable asset to the gaming industry. assee to the gaming initiality.

Thank you for taking the time to review this character reference on behalf of my brother. Should you require any further information or clarification, please do not hesitate to reach out to me. I am confident that by considering Garrett's unique qualities and contributions, you will make the right decision in renewing his gaming license.

Warm regards,

Carl Anderson II

Dear Gaming Commission,

This is Garrett's mother and father reaching out to share with you our thoughts,opinions and beliefs of Garrett. Firstly we would like to shed light on Garrett's selfless amazing character. Secondly, we would like to bring attention to Garrett's undying passion for the game of poker and being a poker dealer. Lastly, the unconditional love and support for his family.

Garrett is extremely hard working. He goes to work all day and before coming home he goes grocery shopping, comes home mows and weed eats the lawn before cooking dinner. He brings his girlfriend to work and still manages to show up to work on time. Garrett is also very responsible, he makes sure the mortgage and bills are paid. He provides food and other neccessities for the house. Garrett has a passion for poker, he loves the game. He constantly watches you tube to learn all that he can about poker. As a family we have poker nights and play as if we were at the poker room. He taught his brother's girlfriend, Janae how play and deal poker and now she is a dealer at the Orange City Racing and Card Club. He taught his girlfriend Hayley how to play poker as well. He loves poker so much that he has cards tattooed on his arm.

Garrett has a very strong bond with his family. We were renting a home for 13 years when the landlord decided he needed his home back. With our belongings in storage, we were living in a motel in which Garrett paid the expenses, meanwhile he bought a brand new house. He calls or texts from work to make sure we are okay or if we need anything before he comes home. He picks up our prescriptions, took us on vacations, hockey games and occassionally out to dinner and buys groceries for the week. He is a blessing and we are grateful and proud he is our son! He deserves a second chance, please find it in your heart to help him and his family.

In conclusion, Garrett has a great personality, he is very hard working and a responsible young man. Garrett has a strong passion for poker. We play poker every night as a family. He trained Janae how to play and deal poker in which she is currantly at Orange City Racing and Card Club employed as a poker dealer.

Garrett has a strong family bond. He bought a home for his family, helps with food and travel. We feel he deserves a second chance, Please find it in your heart to help him and his family. It would be detramental if he looses his license. I appreciate and Thank you for the time you took to read this letter.

Sincerely,,

Lynda and Carl Anderson

IMPORTANT INFORMATION

This is complete of completion Please plants decused in a secure location serves as formal proof of your complete of ADI School requirements under given 122-291 florida Statutes of applicable coart order.

> GARRETT ANDERSON 1007 WANDERER DR DET TONA, EL 32736

American Safety Coun	
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Exhibit 4 Page 7/8

Covenant RON DESANTIS starting RICKV D. DIXON	http://www.de.state.fl.us	TERMINATION OF SUPERVISION DC#B61437 DCCKET/UC NO: 2022 100408 CFDL COUNTY VOLUSIA SCHEDULED TERM 99/14/2024		Emanda Shows	You are hereby notified that you completed your term(s) of supervision on <u>09/14/2024</u> , as referenced a0005, and are no longer under the supervision of the Department of Corrections	During your term of supervision. <u>N/A</u> days of earned incentives were applied, as authorized in Florida Statute 948.05(2)(c) and/or (d).	Pursuant to Florida Stante 98.0751, if you were convicted of a felony offense, other than murder or a sex offense, you may be eligible to have your voting rights restored immediately upon the completion of all terms of your sentence, including, but not limited to any unpad restitution, court costs, fees or fines.	Individuals who do not qualify for automatic restoration of volting rights under Florida Statute 98.0751, will not be qualified to vote until their civil rights are restored as outlined in Article IV, Section 8 of the Florida Constitution.	voting rights process under Florida Statute 98.0751, clease.	If you were adjudicated guilty and on supervision for a felony offense, please review the rules of Excentive Clemency for information regarding the restoration of viri ngths process for the following types of clemency: RESTORATION OF CIVLR RIGHTS, PARDONS, PARDONS WITHOUT FIREARM AUTHORITY, FIREARM AUTHORITY, REMISSION OF FIVISE AND FORFEITURES. This information and the application can be accessed on the following website: https://www.foorstate.flux/clemencyOverview.shinl or call (850) 488-3952 or 1-800-435-8286.	Senior Officer Senior Officer Mergenning over Life AT A Thue +		Right Side - Offender File
FLORIDA DEPARTMENT of CORRECTIONS	501 South Cathoun Street, Taliahassee, FL 32399-2500	Date: <u>October 14. 2024</u> RE:	Garret T Anderson DC#B61437 1007 Wanderer Dr. Deltona, FL 32738	Dear Mr. Anderson	You are hereby notified that you completed your term(s) of supervision or and are no longer under the supervision of the Department of Corrections.	During your term of supervision, <u>NIA</u> days of earned 948.05(2)(c) and/or (d).	Pursuant to Florida Statute 98.0751, if you were convicted of a felony offense, other than murder or a sex offense, you may be eligible to have your voting rights restored immediately upon the completion of all to of your sentence, including, but not limited to any unpadi restitution, court costs, fees or fines.	Individuals who do not qualify for automatic restoratic not be qualified to vote until their civil rights are resto Constitution.	For additional information related to the restoration of voting rights process under Florida Statute 98.0751 contact the Supervisor of Elections in your county of release.	If you were adjudicated guilty and on supervision fo Clemency for information regarding the restoration of RESTORATION OF CIVIL RIGHTS, PARDON FIREARM AUTHORITY, REMISSION OF PIN gpplication can be accessed on the following website call (850) 488-2952 or 1-800-435-8286.	Sincerely	Original: Offender Copy: Offender File Clerk of Cont (If required) FCOR ((f required)	(Revised 8.22)

	FILED
FLORIDA GA	MING CONTROL COMMISSION
Date:	2/08/2024
File Number:	2024-00020
BY:	MELBA L. APELLANIZ
CLER	RK OF THE COMMISSION

STATE OF FLORIDA

GARRETT T. ANDERSON,

Petitioner,

v.

FGCC Case No.: 2023-037859

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

Respondent.

_____/

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on February 1, 2024, for final agency action pursuant to sections 120.569 and 120.57(2), Florida Statutes. After a complete review of the records in this matter, the Commission makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

The Findings of Fact contained in the Recommended Order are hereby adopted as the Findings of Fact of the Commission.

CONCLUSIONS OF LAW

The Conclusions of Law contained in the Recommended Order are hereby adopted as the Conclusions of Law of the Commission.

Exhibit 5 Page 1/11

ORDERED and ADJUDGED:

- 1. The Hearing Officer's Recommended Order is adopted in full.
- 2. Petitioner's application for a Cardroom Employee Occupational License is hereby

DENIED.

This Final Order shall take effect upon being filed with the Clerk of the Commission.

DONE AND ORDERED this 8^{++} day of <u>FEBUNEY</u>, 2024.

FLORIDA GAMING CONTROL COMMISSION

CLERN OF THE COMMISSION

On Behalf of Julie Brown, Vice-Chair John D' Aquila, Commissioner Charles Drago, Commissioner Tina Repp, Acting Commissioner

NOTICE OF RIGHT TO APPEAL

Any party to this proceeding has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original notice of appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 4070 Esplanade Way, Tallahassee, Florida 32399-2202 (email: clerk@clerk@flgaming.gov), and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate Florida district court of appeal. The notice of appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the Clerk of the Commission.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this $\underline{{}}^{\dagger\dagger}$ day of $\underline{FEPRUAPY}$, 2024, a true and

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

Garrett T. Anderson

1007 Wanderer Drive Deltona, Florida 32738 skatedcshoee@gmail.com

101

CLERK OF THE COMMISSION Florida Gaming Control Commission

CC: Ebonie Lanier

	FILED
FLORIDA G	AMING CONTROL COMMISSION
Date: File Number:	1/29/2024

BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION

FGCC Case No.: 2023-037859

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

GARRETT ANDERSON

Petitioner,

٧.

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

Respondent.

×

HEARING OFFICER'S RECOMMENDED ORDER

THIS MATTER came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on November 15, 2023, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of Garrett Anderson's ("Petitioner") petition for a hearing in response to the Commission's Letter of License Denial filed in FGCC Case Number 2023-037859. The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held via video conference. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about May 8, 2023, the Commission received an application from Petitioner for a Pari-Mutuel Wagering Individual Occupational License disclosing Petitioner's two disqualifying felony convictions.

2. On or about July 6, 2023, the Commission received a Request for Waiver from Petitioner.

3. On or about September 11, 2023, the Commission filed a Letter of License Denial,



seeking to deny Petitioner's license application based on his criminal record, which includes two felony convictions.

4. On or about October 9, 2023, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

The November 15, 2023, Informal Hearing

5. A hearing pursuant to section 120.57(2), Florida Statutes, was held on November 15, 2023, during which the Commission presented the issues raised in the Letter of License Denial. The Hearing Officer granted the Commission's motion to accept the Findings of Fact in the Administrative Complaint as the undisputed facts in the case and accepted the investigative packet into the record.

The investigative packet contained an FGCC Investigative Report ("Report"). Page
 4 of this report stated Petitioner held a Pari-Mutuel Wagering Individual Occupational License from
 July 14, 2020 until June 30, 2023.

7. Page 2 of the Report reflected Petitioner's two September 15, 2022, felony convictions and stated that Petitioner failed to notify the Division of his convictions while licensed.

8. The investigative packet contained a police report detailing the circumstances surrounding Petitioner's convictions:

a. The police report contained a narrative of the events leading up to Petitioner's arrest.

b. According to the narrative, a law enforcement officer had attempted to pull over Petitioner due to speeding. Petitioner did not stop once law enforcement had activated lights and sirens.

c. The narrative stated that while attempting to elude law enforcement, Petitioner drove over "stop sticks" employed by law enforcement in an effort to stop Petitioner. The "stop sticks" deflated two of Petitioner's tires.

d. The narrative stated that Petitioner continued driving, eventually abandoning his car in a parking lot.

e. According to the narrative, Petitioner, at some point while being pursued by law enforcement, called 911 and reported that his car had been stolen. Police made contact with Petitioner half a mile from his vehicle, which was locked.

f. According to the narrative, Petitioner told police that he had been drinking at a friend's house all day and noticed that his car had been stolen when he went outside to get a cigarette.

g. According to the narrative, Petitioner had walked away from his friend's house to get cell service to call 911.

 According to the narrative, a search of Petitioner's pocket yielded a receipt from that night from a restaurant and bar close to where police had observed Petitioner speeding.

9. The investigative packet also contained two character references, one from Petitioner's brother, and one from Petitioner's mother and father. Both letters provided statements regarding Petitioner's good character and love of poker.

- 10. At the hearing, Petitioner testified about a variety of topics:
 - a. Petitioner testified that his job as a poker dealer meant a lot to him.

b. Petitioner testified that when previously licensed, he carpooled to work with his girlfriend, who worked at the same facility, because she does not have a driver's license.

c. Petitioner testified about his mental state during the time surrounding the criminal acts, stating that he was in a relationship with a woman who did not want

3

to accept that they were broken up. Tensions escalated to the point where he put a fence up around his house.

d. Petitioner testified about the events that resulted in his two disqualifying felony convictions. Petitioner testified that while at a bar he ran into a group of people who were going to go bar hopping. Petitioner had a beer and then started driving to the next bar. At a green light, Petitioner began racing another car. When Petitioner saw a police car with its lights on, Petitioner did not stop because he was afraid of getting a DUI. Petitioner testified that after alluding the police, since he was already in trouble, Petitioner continued the charade and called 911 to report his car stolen.

e. Petitioner testified that he is currently on probation until February 15, 2024.

f. Petitioner testified that he takes care of his mother, father and brother who has special needs.

g. Petitioner testified that if the Commission were to grant him a license, he would donate to the police department.

h. Petitioner testified that he knows what he did was wrong.

FINDINGS OF FACT

 On or about September 15, 2022, Petitioner was convicted of Fleeing or Attempting to Elude with Sirens Active, a felony, in Volusia County, Florida in Case No. 2022-CF-100409.

 On or about September 15, 2022, Petitioner was convicted of Fleeing or Attempting to Elude High Speed, a felony, in Volusia County, Florida in Case No. 2022-CF-100408.

CONCLUSIONS OF LAW

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

14. The Commission has jurisdiction over this matter pursuant to chapters 120 and 550,

Florida Statutes.

15. Section 550.105(5)(b), Florida Statutes, provides, in pertinent part: The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

16. Pursuant to section 550.105(d), Florida Statutes, when determining whether an applicant has a disqualifying conviction, "the term 'convicted' means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere."

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

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

19. 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."

20. An applicant for licensure bears the burden of ultimate persuasion at each and every step of the licensure proceedings. *Dep't of Banking & Fin., Div. of Sec. & Investor Prot. v. Osborne*

Stern & Co., 670 So. 2d 932, 934 (Fla. 1996).

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

22. In the present case, Petitioner has two disqualifying criminal convictions that occurred in 2022.

23. Petitioner pled *nolo contendere* to and was Adjudicated Guilty of Fleeing or Attempting to Elude with Sirens Active, a felony of the third degree. Petitioner pled *nolo contendere* to and was Adjudicated Guilty of Fleeing or Attempting to Elude High Speed, a felony of the second degree.

24. While Petitioner's testimony was credible, the actions that Petitioner took, only two years ago, were serious, and involved calling 911 to report his car stolen to evade arrest.

25. Additionally, Petitioner did not report his criminal convictions to the Division of Pari-Mutuel Wagering, as required by section 550.105(10)(d), Florida Statutes.

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

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

RECOMMENDED ORDER

WHEREFORE, based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Florida Gaming Control Commission enter a Final Order DENYING Petitioner's application for a Pari-Mutuel Wagering Individual Occupational License.

This Recommended Order in FGCC Case Number 2023-037859 is submitted this 29th day of January 2024.

Eizabeth K. Stinson

Elizabeth K. Stinson, Hearing Officer Florida Gaming Control Commission

Exhibit 5 Page 10/11

CERTIFICATE OF SERVICE

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I hereby certify this 29th day of January 2024, that a true copy of the foregoing "Hearing

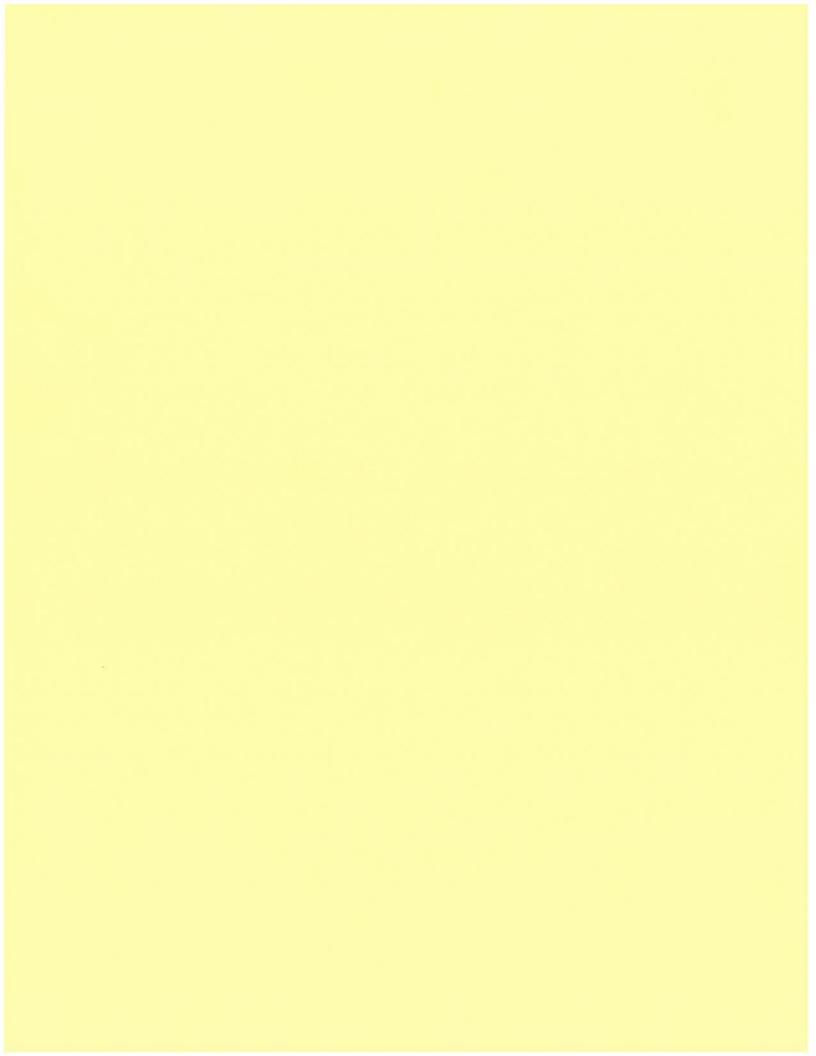
Officer's Recommended Order" has been provided by mail and email to:

.

Garrett Anderson 1007 Wanderer Drive Deltona, Florida 32738 skatedcshoee@gmail.com

٨ (gency Clerk

Florida Gaming Control Commission



MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Emily Alvarado; Chief Attorney
Re:	Jessica Leean Chavis; Case No. 2024-063690
Date:	January 30, 2025

Executive Summary

The Applicant, Jessica Leean Chavis seeks a waiver of her disqualifying offense and issuance of a cardroom employee occupational license (the "Application"). The Applicant submitted a completed application for a cardroom employee occupational license. Upon review of the Application, it appears the Applicant has been convicted of two misdemeanor offenses in Florida. A Division investigator conducted a waiver interview of the Applicant on December 13, 2024, and documented the waiver interview in a report submitted to the Commission for consideration.

Pertinent Facts

On September 6, 2024, the Applicant submitted an application for a cardroom employee occupational license to the Division. The Applicant answered "yes" to if she had been convicted of a disqualifying offense and attached a document with ten offenses listed. On September 13, 2024, the Applicant was issued a deficiency letter by the Division requesting a completed application, specifically requesting an updated application listing errors and omissions on page 3 of the application and court disposition records and arrest reports for arrests out of Duval County from March 28, 2013, October 15, 2023, and December 7, 2023, an arrest out of Clay County from June 10, 2020, an arrest out of Lexington County, South Carolina from May 20, 2020, and to list the Clay County arrest from July 14, 2020 on the application. On October 25, 2024, the Applicant submitted a completed application. Upon review of the completed Application, it appears that the Applicant was convicted of the following:

- Petit Theft between \$100 and \$300 out of Duval County, Florida from September 10, 2013; and
- Larceny Petit Theft 2nd Degree out of Clay County, Florida from June 29, 2020.

The Applicant applied for a waiver from the statutory restrictions excluding applicants with disqualifying offenses on September 25, 2024. On December 13, 2024, Commission investigators conducted a waiver interview with the Applicant. The waiver interview is documented in a report included as Exhibit A.

These misdemeanor convictions are disqualifying offenses pursuant to section 849.086(6)(g), Florida Statutes.

Relevant Law

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

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

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

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

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

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 commission."

CHAVIS, JESSICA LEEAN

Case # 2024-063690

License Type: Cardroom Employee Occupational License (1012) Occupation: Chip Runner

Waiver Requested: [/] Yes [] No



Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

WAIVER INVESTIGATIVE REPORT

Office:	Region:		Complaint:	Case Number:	
PMW	NORTHERN	Novem	oer 5, 2024	2024 06 3690	
Respondent:		Compla	inant:		
CHAVIS, JESSICA L. 3114 ROCOCO COURT			ON OF PARI-MUTUE E OF INVESTIGATIO		
ORANGE PARK, F		1400 V	EST COMMERCIAI	BOULEVARD, SUITE 165	
EMAIL : CHAVISJESSICA587@GMAIL.COM			UDERDALE, FLORI	DA 33309	
CELL PHONE:(904) 893-1592				
License	e#/ Type:	Pro	ession:	Report Date:	
14136	010 / 1012	Chip	Chip Runner December 13, 2024		
	Period of Investigation:			Type of Report:	
November	5, 2024 through Decem	ber 13, 2024	D24 Final		
November 5, 2024 through December 13, 2024FinalBasis of Investigation: This investigation is predicated upon the submission of JESSICA CHAVIS' State of FloridaCardroom Occupational License Application dated September 4, 2024, and Request for Waiver dated September 25, 2024.					
On September 4, 2024, CHAVIS applied for a Cardroom Employee Occupational License (1012) to work as a Chip Runner at the BestBet Jacksonville Poker Room. On her application, she answered "YES" 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?" CHAVIS wrote "please see attached" listing multiple Misdemeanors and Felony convictions in Florida.					

Upon receipt of **CHAVIS'** FDLE Criminal History Report, PMW Licensing sent **CHAVIS** a Deficiency Letter on September 19, 2024, requesting that she list and provide court disposition records for the following arrest(s):

- Duval County, Florida Arrest(s) 3/28/2013, 10/15/2023/ 12/7/2023
- Clay County, Florida Arrest(s) 6/10/2020, 7/14/2020
- Lexington County, SC Arrest(s) 5/20/2020

On October 25, 2024, CHAVIS amended her application to include the above offenses and provided arrest records as requested.

Approved by Investigation Manager / Date					
151 C. Deut Warting					
C. Derek Washington / December 13, 2024					
FLORIDA GAMING CONTROL COMMISSION HTTPS://FLGAMING.GOV/					

CRIMINAL HISTORY

	Arrest 1							
	Date of Arrest: Arresting Agency:							
	5/20/2020	West Columbia,	South Carolina					
	OFFENSE							
			CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE		
 Manufacture, Possession of other Substance Schedule 1,2,3 amended Possession of Heroin 		Felony	N/A	Dismissed	11/25/2024			
2								
3								
4								

SENTENCE

Decline to extradite and dismissed charges.

Additional Information: See EXHIBIT #4

	Arrest 2							
]	Date of Arrest: 6/10/2020Arresting Agency: Clay County Sheriff's Office							
	OFFENSE							
	CLASSIFICATION PLEA DISPOSITION CONVICTION DATI					CONVICTION DATE		
1 Larceny – Petit Theft		Misdemeanor	Nolo	Adj. Guilty	6/29/2020			
2								
3								
4								

SENTENCE

20 Days in County Jail, Credit for 20 days served, Fines totaling \$425.50

Additional Information: CCIS (Comprehensive Case Information System) indicates there is a balance of \$375.50.

CRIMINAL HISTORY

	Arrest 3							
Date of Arrest: Arresting Agency:								
	3/28/2013	8/2013 Jacksonville Sheriff's Office						
	OFFENSE							
CLASSIFICATION PLEA DISPOSITION CONVICTION					CONVICTION DATE			
1	Petit Theft Retail	100<300	Misdemeanor	Guilty	Adj. Withheld	9/10/2013		
2								
3								
4								

SENTENCE

12 Months' Probation, 60 Hours of Community Service, Fines of \$403.00, Restitution of \$60.00,

Additional Information: 8/11/2014 VOP on this charge for nonpayment of probation fees. CCIS indicates there is a balance of \$403.00.

	Arrest 4								
Da	te of Arrest:	Arresting Agency:							
	OFFENSE								
			CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE			
1									
2									
3									
4									

SENTENCE

Additional Information:

ADDITIONAL LICENSES

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

1. License Type	:				
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdiction:		
		•		YES	NO
Has License eve	Has License ever been suspended or revoked?				
Was any derogatory information received?					Х
Additional Comm	nents:				

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

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

4. License Type:							
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdiction:				
				YES	NO		
Has License ever been suspended or revoked?							
Was any derogato	ory information recei	ved?					
Additional Comments:							

WAIVER INTERVIEW

	YES	NO
Was a Waiver Interview Conducted?	X	
Date of Interview: Location of Inter	view:	
November 22, 2024 BestBet Orange	Park	
	YES	NO
Was the applicant cooperative?	X	
Additional Comments:		

SUMMARY OF INTERVIEW:

During her interview, Ms. **CHAVIS** was open about the details of her two misdemeanor arrests for petit theft and her history of drug abuse. She shared that she had been homeless and living on the streets for many years until she found herself in jail for the second time. At that moment, she realized she was almost forty years old and said to herself, "enough is enough."

CHAVIS expressed that she has been working hard to get her life in order and is currently living at home with her parents. She mentioned that she has been clean for over a year and is determined never to return to her previous life. She also spoke about finding God and accepting His help to cope with her situation every day.

CHAVIS highlighted the changes she has made in every aspect of her life to support her rehabilitation. Furthermore, she has applied for a position at the BestBet cardroom, which is where her father has worked for many years and is conveniently located close to home for both of them.

CHAVIS concluded the interview by expressing her eagerness to start working and her excitement about the new life she has worked so hard to create for herself and her family. She is grateful for any consideration she may receive and is willing to do whatever is necessary to obtain her license and secure a job at BestBet.

On Friday, December 13, 2024, I again spoke with **CHAVIS** about her unpaid court fines. She indicated that her father was currently waiting on a monetary settlement from a lawsuit and he agreed to give her any money she needs to get her bills paid when he receives it, however, there is no estimated time frame for this settlement. She is also reluctant to execute a payment plan with the courts, without having any guaranteed employment in her future. She indicated she would work on it and get back to me the following week with her results. As of the date of this report, the fines related to the above convictions (as well as those associated with numerous traffic infractions) remain unpaid.

CONCLUSION:

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

Case Status: Investigations case closed, and case forwarded to Licensing.

TABLE OF CONTENTS

I.	INVESTIGATIVE REPORT COVERSHEET
II.	INVESTIGATIVE REPORT
III.	EXHIBITS
	1. Photo / Waiver Request / Application / License 1-12
	2. Legal Documents
	3. Rap Sheet
	4. Supporting Docs: ARCI / Def. Letter / Other

ROUTING SLIP REQUEST FOR WAIVER

RE: <u>CHAVIS, JESSICA L. – LIC</u> (APPLICANT'S NAME – LICENSE #)	<u># 14136010</u>	Case No:	2024 06 3690				
1012 – Chip Runner Occupation Code and Job Title		Facilit	et Jacksonville ty (d/b/a name)				
Waiver Referral Date:	<u> </u>	(DATE)	024				
Investigations Section: Reviewed by Bradford D. Jones							
The attached "Request for Waiver" file forwarded to the Licensing Section.	has been reviewed for	completeness and	accuracy, and has been				
Licensing Section: Reviewed by:	CH 01/10/2025						
	(Initial & Date)	(Initial &	Date)				
Is the applicant currently under suspension, have unpaid fines, been refused a license by any gaming or racing jurisdiction?							
[√] Yes or [] No If yes, in what jur	isdiction?						

Investigative Findings:

- June 10, 2020 Clay County Sheriff's Office, FL. Petit Theft Misdemeanor Pled Nolo Contendere Adjudicated Guilty on June 29, 2020 Sentenced to 20 Days in County Jail, Credit for 20 days served, Fines totaling \$425.50 CCIS indicates there is a balance of \$375.50.
- March 28, 2013 Jacksonville Sheriff's Office, FL, Petit Theft Misdemeanor Pled Guilty Adjudication Withheld on September 10, 2013 – Sentenced to 12 Months' Probation, 60 Hours of Community Service, Fines of \$403.00, Restitution of \$60.00 - 8/11/2014 Probation Violation on this charge for nonpayment of Probation fees. - CCIS indicates there is a balance of \$403.00.

FGCC PMW-3180 - Request for Walver

2024 OCT -1 PM 3: 16 FLORIDA GAMING CONTROL COMMISSION



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STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION DIVISION OF PARI-MUTUEL WAGERING www.figaming.gov

TO: JESSICA LEPANN

Full Legal Name of Applicant

Date of Birth

Individual/Org. Number

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

For Parl-Mutuel and Cardroom Applicants

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

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

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

For Cardroom Applicants Only:

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

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

UNTIL YOU ARE LICENSED.

You are not permitted to engage in any activity which requires a pari-mutual occupational license or a cardroom license, at any pari-mutual facility in Florida. If you are found to be working without a license, you will be subject to arrest for trespassing and your walver request may be denied.

You are forbidden from accessing any of the restricted areas of any parl-mutuel facility in Florida.

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

Signature of Applicant

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

EXHIBIT #2 PAGE 2/11 Page 1 of 1

FGCC PMW-3180, Effective 09-01-2020, Rule 75-5:001, F.A.C.

024	SEP-6 PH12:03 05 TEN: 70CJ 0000000000000000000000000000000000
F 403	LORIDA GAMING ITROL COMMISSION Florida Gaming Control Commission Division of Pari-Mutuel Wagering
	FGCC PMW-3120 – Individual Occupational License Application Instructions: Please review this application thoroughly and complete all sections that pertain to you and are not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."
ľ	
	Social Security Number Birth Date (MM/DD/YYYY) Gender
	□ Male OF Female
	Lest Name F. Middle Suffix
	(novis Jessica leeann
	Have you used, been known as, or called by another name (example – maiden name, pseudonym, nickname) or alias other than the name used on the application?
	If yes, list the name or names used:
	Race/Ethnicity (optional)
	Cacereumicny (optional) Black or African American Asian or Pacific Islander Asian or Pacific Islander Asian or Pacific Islander Description Asian or Pacific Islander Description Asian or Pacific Islander Description
	Current Mailing Address
	City State Zip Code (+4 optional) Country, if other than USA
	Grance Parks FL 32013, DUMAND FURTHER
	Primary Phone Number (optional)
	904-8931592
	Current Street Address
2	City State Zip Code (+4 optional) Country, if other than USA
	Type of Occupational License applying for. General Individual Cardroom Employee
	Occupation: CHIP RUNNER DestDet - F10
	Does your position require access to the Cardroom? Is this your first time applying for a racing/gaming license in Florida?
ļ	XO Yes D No
1	Are you a Supervisor, Manager, or Shareholder of a pari-mutuel permitholder?
, in the second s	Do you own or lease animals intended for racing in Florida? W No D Yes, complete the following:
	Stable Name, Kennel Name, or Business Name
÷.væ	Trainer Name (horse or greyhound racing only)
-	IS TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMISIONLY
	Type of professional license (attach a copy of Florida Florida License Number professional license):
2	na sena de la companya de la company La companya de la comp
5 - C	1012 IVI 36 OLO
	License Code License # 19 0000 File # 123 10 App # 10378
4	Association Code 919 Date Received 46124 Entered By K License Year 247
ж 8 Э	License Fee FP Date FP Fee Total Fee Total Fee
1	Off Temp Waiver Requested ARCI Enforcement Minor
	FGCC PMW-3120, Effective 09-01-2020, Rule 75-5.001, FA.C.

EXHIBIT #2 PAGE 3/11

2024 SEP -6 RM 12: 03

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THE PROPERTY OF A	PACKODO	IND INFOI	NUMTION//ATT/NO	HWARAN G		NEEDED) 222126 VSR 2419
□ ¥es Have y	OU ever been c	onvicted of.	or had adjudication of			Semeanor involving forgery.
No larcen	, extortion, con	spiracy to de		eports to a	government agency,	, racing or gaming commission
	presidente a la récelectric de construction de la président de la président de la président de la président de				an de la companya de	ity or nolo contendere to any
D No crimini	il charges agaii	nstyou? If y		on records	for all convictions lis	ted must be submitted with this
DATE OF DISPOSITION	COUNTY	STATE	OFFENSE		MISDEMEANOR OR FELONY?	SENTENCE
				- #	annenen kon kon kon kon kon kon kon kon kon ko	1
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	1		i.			
			g license suspended, section provided bel		or denied in this or ar	iy other state or country? If
□ Yes Is any SY No If yes,	racing or gamir you must list th	ig license yo e state(s) or	u hold currently susp jurisdiction(s) of licen	ended or si sure and o	ubject to other discipl ive details the offens	ine, such as an unpaid fine? e and discipline.
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det	ails	movi	ded on	M	eet att	acted
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Each application oath or affirmation required by law.	for a license or by the applice	renewal of nt, or owner	a license issued by th or chief executive of	e Florida (the applica	Saming Control Com nt without the need f	mission shall be signed under or witnesses unless otherwise
signature on this application and to that falsification of suspension or re	application ha the best of m f any informati ocation of the	s the same y knowledge on on this a license. I a	legal effect as an o e, all information cont oplication may result gree to abide by and c, pursuant to Section	ath or affi ained on ti in adminis i obey all r	mation. I declare the nis application is true trative action, includi ules and regulations	Statutes. I understand that my nat I have read the foregoing a and complete. I understand ing fines up to \$1,000, denial, of the Division of Pari-Mutuel
JOCOLO Gignature of A		mģ	4 a 4 , a	**************************************	<u>914</u> Date	12024
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EXHIBIT #2 PAGE 4/11

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2005 - Official Misconduct by a Public Servant, OS Fabilitying Records Ender Employee Theft - 12007 1-1-58 - Sector Survey Bond - Completed Pre Trigi 2013 - Dealing in Stalen Property - Surrety Band Giving False Verification of Ownership of Pawned Items - ROR Petit Theft - ROP 2014 - Violation of Probation - Survety Bond 2020 - 2 - Dealing in Stolen Property, Charges 2-Giving False Verification / dropped 2023 - RMS No Match Found - charges dropped Tresspass on Property of Another withheld Adjudication 2003 - Bedestrian Vehicle Safety Charges Tresspass on Property of Another Aropped 2023 - Pedestrian Vehicle Safety - charges dropped Use, or possess with intent to use, drug paraphanalia - 1000a withheld Adjudication EXHIBIT #2 PAGE 5/11

2017-Operating Vehicle who License - Fines 2020 - Petit Theft - Time Served 4 fines 2020 - Trasspossing - Time Served 1 day + fines Drug Equip. Passess-Time Served I day of fines

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RECEIVED FLORIDAGAMING CONTROL COMMISSION

EXHIBIT #2 PAGE 6/11

2024 OCT - I PM 3: 17 FLORIDA GAMING

			URIRUL RUMMASSINN		and the second sec			
	BACKGROU	JND INFO	RMATION (ATTACH ADDITH	ONAL PAGES AS	NEEDED)			
Yes Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States? Yes Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?								
Yes 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 listed must be submitted with this application and you must list the details in the section provided below.								
DATE OF DISPOSITION	COUNTY		OFFENSE	MISDEMEANOR	SENTENCE			
3/28/2013	DUVAL	"FL		e du				
10/15/2023		FL_	DED VEHICLE SAPE	MIS	AD WH 2 NIGHT			
12 7 2023	frances and the second	FU	CONTROLLED SUBST	MIS	POSS OF PAR.			
	CLAY	FL	PETIT THEFT	MIS	21 DAYS SERVED			
No yes, you	must-list the c	letails in the	g license suspended, revoked; o section provided below:	and the second	and the second secon			
No If yes, you	u must list the	e state(s) or	u hold currently suspended or su jurisdiction(s) of licensure and gi	bject to other discipli ve details the offensi	ine, such as an unpaid fine? e and discipline.			
If you answered yes 328 201	to any of the ろっつ	questions a	bove, provide details here: TED TO BE AC	TUAL DATE	OF 6/22/13			
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653, 654; and Section screening of applicat Social Security number purposes pursuant to	ons 409.2577 nts and licen: pers must als o the Person	, 409.2598, sees by a Tr o be record	Security numbers is mandatory and 559.79, Florida Statutes. S the IV-D child support agency to ed on all occupational license ap bility and Work Opportunity Rec	ocial Security numb assure compliance to polications and are u	ers are used to allow efficient with child support obligations. used for licenses identification			
to the Florida Depart history records that r me directly from the 16.30-16.34. I unde subsequent arrest no in any such report. history are set forth- my challenge before Applicant's Privacy F Each application for	Pub.L. 193, Sec. 317. I hereby authorize the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for obtaining a change; correction, or updating of the FDLE or FBI criminal history are set forth in F.S. 943:056 and Title 28; CFR; Section 16:34-1 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 Florida Gaming Control Commission shall be signed under							
required by law.			or chief executive of the applicar		* 			
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 ablde by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida, pursuant to Section 550,105, Florida Statutes.								
Signature of Appli	<u>z UM</u>	and	126 		0/2024			
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• •	40	-	· · · · · · · · · · · · · · · · · · ·		EXHIBIT #			
FGCC PMW-3120, EI	Tective 09-01-2	020, Rule 75	-5.001, F.A.C.		PAGE 7/11 Page 3 of 3			

10#141310010 2024 OCT 25 PM 3: 04 app# 7-8358 2024 OCT -1 PH 3: 17 FLORIDA GAMING SIGN FLORIDA GAMING CONTROL COMMISSION DATE BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NEEDED) Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, Yes larceny, extortion, conspiracy to defraud, or filing take reports to a government agency, racing or gaming commission Ge No or authority, in this state or any other state, or under the laws of the United States? Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nois contendere to any Yes criminal charges against you? If yes, the court disposition records for all convictions listed must be submitted with this application and you must list the details in the section provided below. Nó DATE OF COUNTY STATE // OFFENSE MISCEMEANOP SENTENCE/ DISPOSITION OR FELONY? / NXA OI A CI PROBATION 02 7 **JD** 2 NIGHT 02 70 SM poss of phi 6110 2020 CLAY DAYS SEVARO 21 Have you ever had a racing/gaming license suspended, revoked; or denied in this or any other state or country? If yes; you must list the details in the section provided below? 1 SP-No is any racing or gaming icense you hold currently suspended or subject to other discipline, such as an unpaid fine? Π. Yan If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline. D No ared yes to any of the questions above, provide details here: DEPLING IN STOLEN PROP/ FR - Manon PIED 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 manidatory pursuant to Tide 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 I hereby authorize the Florida Gaming Control Commission, Division of Pari-Mutual 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 18.30-16.34. 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 sware that procedures for obtaining a change, correction, or updating of the FDLE or FBI criminalhistory are set forth in F.S. 943.956 and Title 28, GFR, 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 Florida Gaming Control Commission shall be signed under, oath of 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 Statutas, 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 felalification 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 Parl-Mutuel Wagering and the laws of the State of Florida, pursuant to Section 550, 105, Florida Statutes. 00000 いらん Elignature of Applicant FXHIBIT #2 **Amended Document** PAGE 8/11 FGCC PMW-3120, Effective 09-01-20 Page 3 of 3

10#14136010 app#78358

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2024 OCT 25 PN 3: 04 FLORIDA GAMING CONTROL COMMISSION

FLORIDA GAMING

2024 OCT - 1 PM 3: 17

BACKGROUND INFORMATION (ATTACH ADDITIONAL Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, ۵ Yes larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state; or under the laws of the United States? Ù No Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or noto contendere to any 10 Yes criminal charges against you? If yes, the court disposition records for all convictions listed must be submitted with this application and you must list the details in the section provided below. Q, No DATE OF COUNTY-STATE OFFENSE MISDEMEANOR SENTENCE DISPOSITION OR FELONY? 5 n7.D LEXIN Prim TEHT E CALCIDO FELONY FEM. APPER e → 601ª Tess CAY nGHT SEVEL MIS CIL Have you ever had a recing/gaming license suspended, revoked, or denied initial or any other state or country? If -yes, you must list the details in the section provided below. DO-No-

Yes is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine?
 No if yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.
 If you answered yes to any of the questions above, provide details here:

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this Instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support egency 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

I hereby authorize the Florida Gaming Control Commission, 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 chatlenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for obtaining a change, correction, or updating of the FDLE or FBI criminal history are set forth in FIST 943,056 and Title 28, OFR, Section 16.34-1 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 scense or renewal of a license issued by the Florids Gaming Control Commission shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my application and to the best of my knowledge, all information contained on this application is true and complete. I understand that my that faisification 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 ablde by and obey all rules and regulations of the Division of Parl-Mutuel Wagering and the laws of the State of Florida, pursuant to Section 550,105, Florida Statutes.

MY. anature of Apolicant

EXHIBIT #2⁻ PAGE 9/11

Page 3 of 3

FGCC PMW-3120, Effective 09-01-20;

Amended Document

2024 OCT -1 PM 3: 17 FLORIDA GAMING

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D. Yes		BACKGROL	IND INFO	RMATION (ATTACH ADD	TIONAL PAGES AS	NEEDED)
No No	larceny, e or author	extortion, con ity, in this stat	spiracy to d le or any oth	afraud, or filing faise reports t ter state, or under the laws of	a government egency, the United States?	Isdemeanor involving forgery, racing or gaming commission
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U Yes O No	If yes, you	u must list the	state(s) or	u hold currently suspended o jurisdiction(s) of licensure an	subject to other discipli give details the offense	ine, such as an unpaid fine?
If you ans	wered yes	to any of the	questions a	bove, provide details here:		
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tudi - t			254 82	ASE READ AND SIGN BE		1973 - C.
Pub.L. 19	3, Sec. 317		2	с. В ці	• 114 ⁶⁶ • 21 ⁶⁶ • 4 ⁷ • ¹⁶⁶ • ¹⁷ ⁶⁶	96 (Welfare Reform Act), 104
screening	of applicar	nts and licens	ees by a T	te IV-D child support agency	to assure compliance v	ers are used to allow efficient with child support obligations. sed for licensee identification
Pub.L. 19	3, Sec. 317		2	с. В ці	• 114 ⁶⁶ • 21 ⁶⁶ • 4 ⁷ • ¹⁶⁶ • ¹⁷ ⁶⁶	ubmit a set of my fingerprints
to the Flo	rida Depart	ment of Law	Enforcemer	nt (FDLE) for the purpose of a	ccessing and reviewing	ubmit a set of my fingerprints Florida and national criminal on record that may pertain to
mè direct	y from the	Federal Burg	au of Inves	tigation (FBI) pursuant to Til	le 28: Code of Federal	Regulations (CFR) Sections
subseque	nt arrest no	otifications an	d that I am	entitled to challenge the accu	racy and completeness	e purpose of providing any of any information contained of the FDLE or FBI criminal
history an my challe	set forth-i nge before	h F:S-943 01 the Division	6 and Title makes a fin	-28CFRSection-16-34:-I-m	áv obtain a promot dete	or the FULE or FBI criminal mination as to the Validity of
Each app oath or af required b	firmation by	a license or r the applican	enewel of a t, or owner	license issued by the Florid or chief executive of the appl	a Gaming Control Comm cant without the need for	nission shall be signed under ir witnesses unless otherwise
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FGCC PMW-3120, Effective 09-01-2020, Rule 75-5.001, F.A.C.

PAGE 10/11 Page:3 of 3

2024 OCT -1 PH 3: 16

- Request for Release of Information and Authorization to Release information CONTROL COMMISSION FGCC PMW-3195

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STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION DIVISION OF PARI-MUTUEL WAGERING . . . www.flgaming.gov 1.1

PERSONAL	INFORMATION
Social Security Number/Federal Employer ID Num	iber
IF INDIVIDUAL APPLICANT, PLEASE	COMPLETE THE FOLLOWING SECTION
Last Name First	Middle Title Suffix
CHANIS JESSIC	A. H. C. Lienstein and State
Birth Date (MM/DD/YYYY)	
FBUSINESS APPLICANT, PLEASE	COMPLETE THE FOLLOWING SECTION
	Irst Middle Title Suffix
Permitholder Name	
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Official Capacity	
ATTEST	STATEMENT
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I JESSICA CHAVIS	do hereby instruct all law enforcement
(name of applicant/representative)	nen andre senten in den se Tradista de la constantia d Tradista de la constantia d
or criminal justice agencies, present and former el	mployers or institutions with whom I or my businesses
have a present or past business relationship, as w	ell as all present or past social associates to release a
requested information to the bearer of this release	form who is an aithorized concentation of the State
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of Florida, Florida Gaming Control Commission.	uoimi, wiio is an anniniraa rehiaseniaana ol tiid Srata
	noim, who is an annunced representative of the Orace
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of Florida, Florida Gaming Control Commission I further authorize any individual, agency, corporal requested by the bearer of this release form with r release such individuals or entities from any and a <u>JESSICA LEEANN</u> (if individual applicant - legal name and ar Applicant/Representative Signatuke: <u>JODIO</u> <u>NOTA</u> The foregoing application was sworn to and subsc by <u>JESSICA</u> LEEANN CHAN Type or print name of applicant who is personally known to me or who has produc <u>FLORIDA</u> <u>IDENTIFICATION</u> Type of identification	tion, or other entity to release any and all information espect to myself or my business. Additionally, I do all liability due to the release of information requested. CHAVIS ty nickname or alias in parentheses) CHAVIS Date: 9,05,000 ARIZATION The before me this 25 Day of 59101, 20 24 Signature of applicant red the following as identification. CARD KASSANDRA WHITLEY NOTARY PUBLIC STATE OF FLORIDA NO. HH 262800 WY COMMESSION SOURCE MAY NO 2020
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FGCC PMW-3195, Effective 09-12-2012, Rule 75-4.002, FA.C. 12 τ., i

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EXHIBIT #2 PAGE 11/11

State of Florida

Florida Department of Business & Professional Regulation

Department of Business and Professional Regulation Chronology Report

Case #:	2024063690		Incident da	ite: 09/06/2024	Status: 116 - Sent to	Legal					
Lic Type:	1012		Dispositior	Disposition:							
Case Type:	Complaint										
Responsible: elanier - LANIER, EBONIE											
Complainant: DIVISION OF PARI-MUTUEL WAGERING											
	1400 W COMM	1400 W COMMERCIAL BLVD, STE 165, FORT LAUDERDALE, FL 33309									
Respondent:	CHAVIS, JESSI	CHAVIS, JESSICA LEEAN									
	3114 ROCOCO	COURT,	ORANGE PA	RK, FL 32073							
Summary:	148 - ORANGE	PARK KE	NNEL CLUB								
		_									
Chronology:	Effective Date	Туре	Lic Type	Code	Description	Responsible Party	Respondent				
Chronology:	Effective Date	Туре А	Lic Туре 10	Code 50	Description Interview Respondent	Responsible Party	Respondent CHAVIS, JESSICA LEEAN				
Chronology:			21		•	Responsible Party	CHAVIS, JESSICA				
Chronology:	11/22/2024	A	10	50	Interview Respondent	Responsible Party	CHAVIS, JESSICA LEEAN CHAVIS, JESSICA				
Chronology:	11/22/2024 11/15/2024	A A	10 79	50 435	Interview Respondent Telephone	i i	CHAVIS, JESSICA LEEAN CHAVIS, JESSICA LEEAN CHAVIS, JESSICA				
Chronology:	11/22/2024 11/15/2024 11/07/2024	A A A	10 79 10	50 435 15	Interview Respondent Telephone Assigned to Investigator	cwtaylor	CHAVIS, JESSICA LEEAN CHAVIS, JESSICA LEEAN CHAVIS, JESSICA LEEAN CHAVIS, JESSICA				
Chronology:	11/22/2024 11/15/2024 11/07/2024 11/06/2024	A A A A	10 79 10	50 435 15 440	Interview Respondent Telephone Assigned to Investigator Incoming Correspondence	cwtaylor cstubbs1	CHAVIS, JESSICA LEEAN CHAVIS, JESSICA LEEAN CHAVIS, JESSICA LEEAN CHAVIS, JESSICA				
Chronology:	11/22/2024 11/15/2024 11/07/2024 11/06/2024 01/10/2025	A A A A R	10 79 10	50 435 15 440 elanier	Interview Respondent Telephone Assigned to Investigator Incoming Correspondence LANIER, EBONIE	cwtaylor cstubbs1 charris	CHAVIS, JESSICA LEEAN CHAVIS, JESSICA LEEAN CHAVIS, JESSICA LEEAN CHAVIS, JESSICA				

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January 10, 2025 12:41

nfa5 - Chronology Report

Page 1 of 2

Florida Department of Business & Professional Regulation

State of Florida Department of Business and Professional Regulation Chronology Report

Chronology:	Effective Date	Туре	Lic Type	Code	Description	Responsible Party	Respondent
	01/05/2025	R		bjones	JONES, BRADFORD	bjones	
	01/06/2025	S	1012	104	Sent to Licensing Section	cstubbs1	
	11/07/2024	S	1012	20	Under Investigation	cstubbs1	
	11/06/2024	S	1012	10	Initial Review	cstubbs1	
	01/05/2025	S	1012	90	Closed	cstubbs1	
	01/10/2025	S	1012	116	Sent to Legal	charris	
	01/05/2025	S	1012	165	Supervisor Review	bjones	
Allegation:	Code	Description	n				
	WAVR	Waiver of C	rim. Conv.	or Other Offenses			
Violation:	Code	Description	I		R	espondent	
	WAVR	61D-5.006			C	HAVIS, JESSICA LEE	AN

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January 10, 2025 12:41

nfa5 - Chronology Report

Page 2 of 2

								FA	AQ F	lelp Sign	Out
VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforce	ment	Report	
Complaint S Update	Search (Aass Status I		cording License Public Case In		elete Comp	plaint	Mass Activity	/ Update	Ма	ss Discipline	
Domain 10 -	Division of	Pari-Mu	tuel Wagering					Lo	gged ir	n as: cstub t	os1
VR Home > Complaint Search > Maintain Complaint											
Lic Type 1012 - Cardroom Employee 104 Sent to Occupational Status Date 01/06/2025 Section Status Date 01/06/2025								25			
Complaint #	202406369	9 0 C	ase _{Type} CMP Com	- plaint ^D	isposition		[Dispositio	on Date	9	
Docket#		Re	CHA spondent JESS LEE/	SICA Re	sponsible	charris HARRI CYNTC	S,			Private Case	
Complaint	Respor	ndent	Complainant	Addt'l Info							
Source	LIC - Lice	nsee	Security Le	evel 1			Parties		Ac	ctivities]
Form	WALK - W	/alk-in	Pric	ority 1			Allegations		Dis	scipline]
Class'n	IIIB - Waiv	/ers	Comple	xity R - Re	gular	\checkmark	Violations		Cor	mpliance	
Security	STND - St	andard	Incic	lent 09/06/	2024		Related		Dis	position]
Region	CR - Cent Region	ral	Recei	ved 11/05/	2024		Inspection				
Reference	-						Costs				
Entered	11/06/202	4	Entered	By cstub	bs1		Time Trackin	g	Auto	o Assign]
Summary	148 - ORA	NGE PA	RK KENNEL C	LUB			Attachments		H	listory]
Updated	01/06/202	5 13:52:1	14	By cstub l	bs1		Work Notes		Prin	t Report]
	1 	Change	S	ave		DK	Can	cel		Back	
							431-				

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								FAQ	Help Sign O
VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
License Se Domain 10 -	ŀ	ntity Search of Pari-Mut	Modify Lic	ense Standin	ig Ma	intain Lice	ense CE Cont		in as: cstubbs
	Division		aci wagering					Logged	
VR Home >	License S	earch > Li	cense Home						
License									Licensee
"			1012 - Card	room	_ ·	~			History
Fed Tax #		гс туре	Employee Occupation	al	Expires	On			Notes
File #	15592	Name	CHAVIS JE	SSICA	Extended	То		N	otes History
License #		Rank		F	Renewed	On			Back
1	14136010		Applicant						
Address									
Street # 31	14 Street		COURT						
Line 2									
Line 3									
City O	RANGE P	ARK St	ate FL		Zip 32	073			
	Ro	uting							
Other									
1st License	Date		ink Date		Certificate				
	ethod		tus Date		tificate Da				
Fee Ex	kempt No	В	irth Date	Re	enewal Se	ent			
Select									
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Modifiers									
Туре	Modifier	Effe	ctive Date	Ad	ditional	nfo			
No items fo	ound.								
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	BEST LIC	NBR							

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								FAQ H	lelp Sign O
VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
License Se	arch Er	tity Search	Modify Lic	ense Standin	ig Ma	intain Lice	nse CE Cont	rol	
Domain 10 -	Division o	f Pari-Mu	tuel Wagering					Logged	in as: charri
VR Home >	Complaint	Search >	Maintain Com	nplaint > Lic	ense Ho	me			01/10/202
License								L	icensee
Fed Tax #		Lic Typ	1012 - Card Employee Occupation		Expires	On			History Notes
File #	15592	Nam	e CHAVIS, JE LEEAN	SSICA	Extended	То		No	tes History Back
License # Entity #	14136010	Ran Lic Statu	k s Applicant	I	Renewed	On		L	Such
Address							 *N	ew Applicant	
Street # 31	14 Street	ROCOC	O COURT					o Previous Lic	ense
Line 2 Line 3								lo Temp Issued	
City O	RANGE PA	ARK S	tate FL		Zip 32	073	*N	lo ARCI Finding	gs
	Ro	uting					*C	CIS findings	
Other								lo additional en ses.	forcement
1st License			ank Date		Certificate		Ca	585.	
	ethod cempt No		atus Date Birth Date		tificate Da enewal Se				
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Division of Pari-Mutuel Wagering

Licensing Administrator Review of Occupational License

CHA	VIS, JESSIC	CA LEEAN - 141360	010	2	024-063690			
	(Applic	ant's Name-Licens	SAMARAN MENANGKAN MENANGKAN BANANGKAN BANANGKAN MENANGKAN MENANGKAN MENANGKAN MENANGKAN MENANGKAN MENANGKAN MEN	Case No: 9/6/2024				
IN	TIAL AP							
Ap	plicatior	Deemed Co		10/25/2024				
lf n	o Reque	st for Waiver r	eceived, 90-	-Day Deadline:	1/23/2025			
Wai	ver Requested	l: ∐No ⊠Yes	 (Pursuant to s.120.60, Waiver Requested 	F.S., the processing timeline require 1 10/01/2024	ment has been waived.)			
	HC pplication Proces		148 - Orange Park K Facility (d/b/a nar	new and a second s	1012-Chip Runner Occupation Code / Job Title/Job Title			
suspension or ha been convicted in laws of this state	n this state, in any involving arson; tr	nother jurisdiction. The divis other state, or under the law afficking in, conspiracy to tra	ense of any person who l sion may deny, suspend, rs of the United States of affic in, smugoling, impor	has been refused a license by any of revoke, or declare ineligible any occ a capital felony, a felony, or an offer fing, conspiracy to smuggle or import	ther state racing commission or racing authority; under supational license if the applicant for such license has ise in any other state which would be a felony under the t, or delivery, sale, or distribution of a controlled r an offense related to pari-mutuel wagering.			
				inistrator Review				
Did the ap	plication acc	curately reflect the		y Record initially?	∐Yes ⊠No			
Was a def	ciency lette	r issued to reques	t information rela	ted to the offense(s)?				
🛛 Felony	(s):C	ount(s)	Misdemeanor	r(s) - Industry Related /	Gambling Related / Bookmaking			
	y, Larceny I	Extortion, Conspire	acy To Defraud	(Cardroom Professions	Only)			
Comment	percontention of a provide a standard and the standard s	ari-Mutuel Profess	ons)					
Comment	5.							
Arrest Date	Location	Charge	Level	Court Case #	Disposition (or Unknown)			
3/28/2013	DUVAL COUNTY, FL	Charge 1: DEALING IN STOLEN PROPERTY	FELONY 2 ND DEGREE	162013CF006098AXXXMA	DROPPED/ABANDONED			
		Charge 2: GIVING FALSE VERIFICATION OF OWNERSHIP PAWN	FELONY 3 RD DEGREE	162013CF006098AXXXMA	DROPPED/ABANDONED			
		Charge 3 : PETIT THEFT RETAIL 100 TO LESS 300 DOLS	MISDEMANOR	162013MM012966AXXXMA	ADJUDICATION WITHELD			
6/10/2020	CLAY COUNTY, FL	Charge 1: PETIT THEFT 2 ND DEGREE 1 ST OFFENSE	MISDEMEANOR	102020MM000946MMAXXX	GUILTY/CONVICTED			
7/14/2020	CLAY COUNTY, FL	Charge 1: DRUG EQUIP-POSSESS - POSSESS AND OR USE DRUG PARAPHERNALIA	MISDEMEANOR	102020MM001108MMAXXX	GUILTY/CONVICTED			
		Charge 2: TRESPASSING - PROPERTY NOT STRUCTURE OR CONVEY	MISDEMEANOR	102020MM001108MMAXXX	GUILTY/CONVICTED			
10/15/2023	DUVAL COUNTY, FL	Charge 1: TRESPASS ON PROPERTY OF ANOTHER	MISDEMEANOR	162023MM016516AXXXMA	ADJUDICATION WITHELD			

-											
	DUVAL COUNTY, FL	Charge 2: PEDESTRIAN AND VEHICLE SAFETY	MISDEMEANOR	162023MM016516AXXXMA	DROPPED/ABANDONED						
12/7/2023	DUVAL COUNTY, FL	Charge 1: POSSESSION OF CONTROLLED SUBSTANCE PARAPHERNALIA	FELONY 3 RD DEGREE	162024MM001052AXXXMA	AMENDED TO MISDEMEANOR GUILTY/CONVICTED						
5/20/2020	WEST COLUMBIA, SC	Charge 1: MANUF, POSSESS OTHER SUB SCH I, II, III WITD-1ST	FELONY	2020A3221100276	UNKNOWN						
			Related	Licenses							
Check VR License Relations to Determine if Applicant is Related to a Business.											
Is the individual applicant related to a business? Yes No X If yes, complete sections below.											
Business License Number: Business Name:											
Has a defic	iency letter	been issued to the	e business india	cating all ODSs must be I	icensed? Yes 🗍 No 🗍						
Date Deficio			Initials								
Comments					an and a second s						
		Lic	censing Admi	inistrator Review							
Disposition Confirmation											
Disqualifyin	g Convictio	ns/Arrests Confirm			Approval						
Forward to	∏ ∕investi	gations 🗌 Le	gal 🗌 Con	nmission Initials:	CH Date 11 10 2024						
Comments	. F 9										



UCENES



Page 1 of 1. 0 total matches.									
Search Parameters									
Govt. Number									
Date of Birth:									
First Name:									
Middle Name:									
Last Name: CHAVIS									
Sex:									
Commission:									
License Type:									
Master ID Last Name First Name Middle SSN/Federal ID Rulings Birth Date City State Name									

01/10/2025 *C* H

Admin Licensees Rulings Horse Tracking Bulletin Board Preferences Log Off

DISPOSITION SHEET

NAME OF DEFENDANT	2024 ("AY 2	5-54 1:24 Jessica	Leeann	Chavis	
WARRANT/TICKET NUMBE		2020A?			
CHARGES(S) possession heroin	\				
ARRESTING AGENCY	CPD				
	an a		99900000000000000000000000000000000000		
DISMISSED PTI JUDICIALLY F DISMISSED	REMANDED	DISMISSED AT PRELIMINARY	FAIL TO APPEAR	RESTORE	OTHER
REASON Prosecute	briel d	iscretion			Statistic Statistics of Statis
**************************************					nitionikimini zazdomena p ili 1
SOLICITOR DATE: W/2-5/2-1			<u></u>		
White Copy - Clerk of Court Y	Yellow Copy	- Detention F	acility		

You don't often get email from mdyer@lexingtoncounty.sc.gov. Learn why this is important

Myra Dyer Deputy Clerk of General Sessions Office: <u>803-785-8553</u> Email: mdyer@lexingtoncounty.sc.gov Please note the new Email address

From: mdyer@lexingtoncounty.sc.gov <mdyer@lexingtoncounty.sc.gov>
Sent: Monday, November 25, 2024 4:14 PM
To: Myra Dyer <mdyer@lexingtoncounty.sc.gov>
Subject: Message from KM_360i

Scanned from a Pollock Company device

Thank you, Ms. Dryer,

That is indeed good news for Ms. Chavis. I will relay the message to her and await your final disposition. Again, thank you for your prompt response and have a great weekend and a Happy Thanksgiving!

Charles W. Taylor, Investigation Specialist II <u>Florida Gaming Control Commission</u>, Office of Investigations <u>Important: Confidentiality & Public Records Statement</u>

From: Myra Dyer <mdyer@lexingtoncounty.sc.gov>
Sent: Friday, November 22, 2024 4:03 PM
To: Charles Taylor <Charles.Taylor@flgaming.gov>
Cc: Kyle Smith <KSmith@lexingtoncounty.sc.gov>; Lisa Comer <lcomer@lexingtoncounty.sc.gov>
Subject: Jessica Chavis

You don't often get email from mdyer@lexingtoncounty.sc.gov. Learn why this is important

Good Afternoon,

I received your request regarding a disposition for Jessica Chavis. After speaking with the solicitor on her case, he declines to extradite her and plans on dismissing her charge when he returns to the office next week. I will forward that disposition when our office receives it.

Thank you,

Myra Dyer

Deputy Clerk of General Sessions

Office: <u>803-785-8553</u>

Email: <u>mdyer@lexingtoncounty.sc.gov</u>

Please note the new Email address

Hello Ms. Comer,

Ms. Chavis is requesting a license to work from us and the information we have regarding her history in South Carolina is attached and incomplete. Since this is unresolved, we in Florida would like to know if you are willing to extradite Ms. Chavis for this case or can she resolve it another way? We'd like a final disposition on this case in order to make a decision on Ms. Chavis' license. Any help would be appreciated, I have already left a message on your voicemail. My cell number is below. Thank you in advance and have a great weekend.

Charles W. Taylor Investigation Specialist II Division of Pari-Mutuel Wagering Office of Investigation 850.794.8118 Office 850.394.0905 Cell

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

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

			OFF			SHERIFF				OBTAIN	EN STATEMENTS NED XIYES □ NO	
	DULT NOTICE TO APPEAR	🗆 FHP		CLAY C		CATION OF A	DREST			WRITT	NTREPORT EN XÍYES ⊡NO	
		🗆 GFC				P. CITY	X UNINCO	ORPERATE	D AREA			
□ s	PECIAL INSTRUCTIONS				1	CSPS CITY			1. CASE	NUMBER		
ш		3. I.D. NO. 4.0	OCATION					T	5. DATE OF	ARREST(MD)	0013842	
ADMINISTRATIVE	COX, JEREMY C 7. ARREST NUMBER 8. O.B.T	08058 .S. NUMBER	9. BOOKIN	G OFFICER	1910 WE		10. FINGERPR	INT OFFICER	6/*	10/2020	1632 CHING OFFICER	
AINIST	157373 12. COURT DATE (LOCATION / DATE / TIME)	1005024194		BATTO	N, SHERI	R	BR	IGGS, C (3	SO	MEILLAN, A T	
ADM	13. NAME (LAST, FIRST, MIDDLE)							14. ALIAS				
	15. HOME ADDRESS	CHAVIS, JESS	SICA LEEAN	N						16. PHO	NE NUMBER	
	17. MAILING ADDRESS (IF DIFFERENT THAN PHYSIC	3114 ROCOC	O CT ORAN	IGE PAI	RK, FL 320	73					904) 586-7825	
ANT	18. EMPLOYER AND ADDRESS									19 240	NE NUMBER	
DEFENDANT	20. POB (CITY / STATE)	21.CITIZENSHIP	UNEMPLO	YED	22. DR	VED'S HOENOF					IAL SECURITY NUMBER	
ā	ORANGE BURG, SC / US		US	UEIOUT			0.0	14 EVE 001	00 00			
	WF	35	20.	ныснт 505	29. WEIGHT 123	30. HAIR COL	RO	31. EYE COL BRO	.UR 32.	FAIR	33. BUILD	
	34. IDENTIFYING CHARACTERISTICS (SCARS/MARK	TATT LEFT F						DSE				
	35. CHARGE RETAIL PETIT THEFT LESS TI #1 (1) \$100	M	 F.S.S ORD. 	38. ST	ATUTE/ORDINA 812-014	/3A	39. CASE #		IONE (NO	WEAPON	41. CHEM TEST RESULT	
		RUG UNIT 45. DRUG AMOR	TNC			ARR. RELAT. STRAN	IGER	47. BON		48. MADE B		
GES	35. CHARGE #2	36. TYPE 37	F.S.S	38. ST	ATUTE/ORDINA	NCE NUMBER	39. CASE #		40. WEAPO	ON SEIZED	41. CHEM TEST RESULT	
CHARGES	42. DRUG ACT. 43. DRUG TYPE 44. DF	RUG UNIT 45. DRUG AMO	JNT		46. VIC	/ARR. RELAT.		47. BON	D	48. MADE B	Y	
	35. CHARGE #3	36. TYPE 37		38. ST	ATUTE/ORDINA	NCE NUMBER	39. CASE #		40. WEAPC	ON SEIZED	41. CHEM TEST RESULT	
	42. DRUG ACT. 43. DRUG TYPE 44. DF	RUG UNIT 45. DRUG AMOR	JNT	_	46. VIC	/ARR. RELAT.		47. BON	D	48. MADE B	Y	
	ON THE 10 DAY OF June, 2020 AT	T 3:55 PM THE DEFI	ENDANT,									
	AT 1910 WELLS RD ORANGE PARK, FL 32073 WITHIN CLAY COUNTY, VIOLATED THE LAW AND DID THEN AND THERE:											
	Commit the offense of retail theft.											
ш	On June 10th, 2020 I was dispatched to 1910 Wells Road, Orange Park Mall, in reference to retail theft. Upon arrival I made contact with Kevon Johnson of Mall Security in the parking lot of 1910 Wells Road, between Dick's Sporting Goods and Belk. Kevon was standing with an adult white female, later identified as Jessica Chavis. Kevon advised JC Penney Loss Prevention Officer Kenneth Payne called him to report a woman shoplifting in his store. Kenneth described her as an adult white female wearing blue jean overalls and carrying a backpack. Kevon made contact with her in the parking lot and awaiting our arrival.											
PROBABLE CAUSE	I then made contact with Jessica Chavis. She was positively identified by her Florida Identification Card. She immediately began pulling out packages of men's undershirts from her backpack. She was Mirandized, and ask how she came to be in possession of the shirts. Jessica advised she is homeless and stole the packs of shirts from JC Penney, hoping to sell them for food money. Jessica was run through NCIC, which did not reveal any current wants or warrants.											
	I then made contact with Kenneth Payne, JC Penney Loss Prevention Officer, he observed Jessica on the store surveillance system, select three packs of men's undershirts. While maintaining continuous visual contact with her, she relocated to the children's section of the store, where she bent down behind clothing racks and concealed the merchandise. He observed her exit the store, passing all final points of sale. Kenneth advised JC Penney will prosecute on the incident, he filled out a sworn written statement.											
	The recovered merchandise consis Loom, white, three-pack, crew neck incident. Both the receipt and DVD	k shirts, valued at \$3 were submitted into	2.00. Kennet evidence.	h provid		receipt for	the merchan	dise, as w	ell as a :		ce disk of the	
с; Щ	49. CO-DEFENDANT #1	50. DOB	49. CO-DEFENI #2	DANT		50.	DOB	49. CO-DEFE #3	NDANT		50. DOB	
Ś	51. VICTIMICOMPLAINANT JC PENNEY,	52. DOB 1/1/0001		LS RO	AD ORANG	GE PARK, F	L 32073				54. PHONE NUMBER (904) 264-2772	
Z	55. WITNESS	56. DOB	57. ADDRESS								58. PHONE NUMBER	
WITN	55. WITNESS	56. DOB	57. ADDRESS								58. PHONE NUMBER	
	59.	Y CLERK OF COUR	Ť								•	
NOTICE TO APPEAR	I AGREE TO APPEAR AT THE PLACE DESIGNATED THIS NOTICE TO APPEAR OR PAY THE FINE SET FO ***1 HEREBY CERTIFY BY MY SIGNATURE THAT THE	ORTH THAT I MAY BE HELD IN	CONTEMPT OF CO	URT AND A	WARRANT FOR	MY ARREST MA		LLFULLY FAIL 1	O APPEAR	BEFORE THE	COURT AS REQUIRED IN	
	60. SIGNATURE OF DEFENDANT				61. DAT	E						
ADMINIS- TRATIVE	CREATED AND SUBMITTED BY: . USER ID: JCOX	J.C.COX(08058)			USEF	RID: JBOO	SGT J.A.BO NE /2020 5:01:3	· ·	84)			
	61. VEHICLE TOWED BY:					NSPORTING OFF						

ARREST REPORT

OFFICE OF THE SHERIFF CLAY COUNTY, FLORIDA

□ JUVENILE

L IN	NOTICE TO AFFEAR				ULA	r coomri,	LONDA			A /	DOLI		10
		XC	CSO	🗆 F	HP		LOCATION OF A	RREST					STA
		□ 0	PPD	🗆 G	FC		🗆 O.P. CITY	X UNINCORP	ERATED	AREA			м Ш
		G	CSPD	🗆 F	MP		GCSPS CITY						L L
			THER				□ K.H. CITY			1. CASE N)13842	DRNEY
NIS-	2. ARRESTED BY COX, JEREMY	′C	3. I.D. NO. 08	058	4.LOCATION	1	910 WELLS RD				F ARREST(MDY 10/2020) 6. TIME OF ARREST 1632	r ªŧ
ADMINIS- TRATIVE	13. DEFENDANT NAME CHAVIS	, JESSIC	A LEEAN	IN	7. ARREST NU	JMBER	157373		8. O.B.T.S	NUMBER	10050241	94	
	35. CHARGE #4			36. TYPE	37.□ F.S.S □ ORD.	38. STATUTI	E/ORDINANCE NUMBER	39. CIS CODE		40. WEAP	ON SEIZED	41. CHEM TEST RESULT	
GES	42. DRUG ACT. 43. DRUG	TYPE 44. I	DRUG UNIT	45. DRUG A	MOUNT		46. VIC/ARR. RELAT.		47. BOND		48. MADE BY		
CHARGES	35. CHARGE #5	•		36. TYPE	37. F.S.S ORD.	38. STATUTI	E/ORDINANCE NUMBER	39. CIS CODE		40. WEAP	ON SEIZED	41. CHEM TEST RESULT	
	42. DRUG ACT. 43. DRUG	TYPE 44.1	DRUG UNIT	45. DRUG A	MOUNT		46. VIC/ARR. RELAT.		47. BOND		48. MADE BY		

Kenneth, as a representative of JC Penney's, was provided with a Victim's Rights Brochure. This brochure informs them of their rights as a victim and also advises that they have the right to be informed of the stages in the criminal or juvenile justice process which are of significance to them as the victim and the manner in which information about such stages can be obtained.

Jessica was placed under arrest and transported to the Clay County Jail without further incident. She was also issued a trespass warning from 1910 Wells Road, at the request of Mall Security.

This case is closed by arrest.

Total investigative cost 1 hour x \$32.00 = \$32.00.

CAUSE	
OBABLE	
ñ	

VIC	51. VICTIM/COMPLAINANT	52. DOB	52. ADDRESS	52. PHONE NUMBER
ADMINIS- TRATIVE	CREATED AND SUBMITTED BY: J.C.COX(08058) USER ID: JCOX)	APPROVED BY: SGT J.A.BOONE(06484) USER ID: JBOONE Date/Time: 6/10/2020 5:01:34 PM	

OFFICER COPY

IN THE COUNTY COURT OF THE FOURTH JUDICIAL CIRCUIT, IN AND FOR CLAY COUNTY, FLORIDA

THE STATE OF FLORIDA,

CASE NO.: 2020MM000946 DIVISION: C

JESSICA LEEANN CHAVIS, Defendant(s).

JUDGMENT AND SENTENCE

The Defendant JESSICA LEEANN CHAVIS being now before this Court via Zoom, attended by his or her attorney, PUBLIC DEFENDER and having

[] been tried and found GUILTY of the Crime(s) of

[] entered a plea of GUILTY to the Crime of

[X] entered a plea of NOLO CONTENDERE to the Crime of

Charge(s):

vs.

812.014(3)(a) LARC - PETIT THEFT 2ND DEGREE 1ST OFFENSE

[X] 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 crimes

OR

[] and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD, and the Defendant being given the opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he or she should not be sentenced as provided by law and no cause being shown, it is the sentence of the Court that the Defendant

Case# 2020MM000946 File Date 06/30/2020 08:11 AM Tara S. Green Clay County Clerk of Court BK: 4329 PG: 27

20 DAYS CLAY COUNTY JAIL WITH CREDIT FOR 20 DAYS TIME SERVED

\$50 FINE + \$225.50 COST + \$50 COST OF PROSECUTION + \$50 PUBLIC DEFENDER APPLICATION FEE REDUCED TO A CIVIL JUDGMENT

\$50 PUBLIC DEFENDER ASSISTANCE FEE (ASSESSED & SUSPENDED)

The Defendant in open court was advised of his or her appellate rights and that any appeal must be made within thirty (30) days from the date hereof. The Defendant was further advised that under certain circumstances, counsel may be appointed at the expense of the State to assist in taking the appeal.

DONE AND ORDERED in open court at Green Cove Springs, Florida this 6/29/2020.

TIMOTHY R. COLLINS, COUNTY JUDGE

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wit Contract Contract Contract Contract Contract wit Arrest And Booking Report Jacksonville Florida Amend # Prev Aw dall # Jacksonville Florida ADULT CLERK CLERK So ID # Contract # Prev Aw dall # Jacksonville Shortff's Office Burglang Takes Route To: Burglang Takes Contract # Date Time Arrested: Thursday 3/28/2013 22:30 Route To: Burglang Takes So D # Contract Circuit State Time Address: T788 ANDES DR Apt.Lot # So 2244 File Hopped prior to/during Arrest: N March 11 Charlot # So 2244 File Hopped prior to/during Arrest: N Sub-Sector: L1 Mice Y form Address: To 80 ANDES DR Apt.Lot # Sub-Sector: L1 Noncollectore March 22 Age: 28 Sub-Sector: L1 Noncollectore Noncollectore Mice Y form Address: Age: 28 Sub-Sector: L1 Nocollectore Noncollectore Mice Y form Address: Age: 28 Sub-Sector: L1 Nocollectore Nocollectore Nocollectore Nocollectore Nocollectore Nocolecto		Á.			3	
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Dommodations Requested: ver's License # State: FLORIDA Subject's Resident Type: CITY Phone # Duar Phone # Phone # (904)-554-6904 Cell Phone Provider METRO E-mail agrant? NO garant? NO iect's Residence Status: RESIDENT Armed With: NOT APPLICABLE (NONE) inguishing Marks: TATTOO ON CHEST ologer: NONE Place of Birth: ORANGEBURG UK SOUTH CAROLINA UNITED STATES Country of Citizenship: UNITED STATES ool Last Attended: ED WHITE HIGH SCHOOL US Citizen: Y Domestic Violence Involved: NO Children under 18 Present: NO If No is it Domestic Related: NO //Date/Time of Incident-From: Saturday 6/22/2013 10:00 Day/Date/Time of Incident-To: Tuesday 6/25/2013 10:00 //Date/Time of Incident-From: Saturday 6/22/2013 10:00 Day/Date/Time of Incident-To: Tuesday 6/25/2013 10:00 //Date/Time of Incident-From: Saturday 6/22/2013 10:00 Day/Date/Time of Incident-To: Tuesday 6/25/2013 10:00 y_JACKSONVILLE State: FLORIDA Zip: 32206 Sub-Sector: B2 *:166 Crossstreet: Sub-Sector: B2 olyach in Trific Accident: NO Injuries from Accident: Is Incident Gang Related: NO Is Arrestee a Gang member? N atute or Ordinance Number(s): #1 Is Incident Gang Related: NO Is Arrestee a Gang member? N	pect Invoke Miranda	? NO Arrestee needs AD	lating violence crime? NO A Consideration? NO Ar r e	Required to register as a sex offend estee Confessed? Miranda Rights	der? NO Given? YES	JUN 2920
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stolen, and reported earlier in the week. The nail gun was entered into Value Pawn at 7791 Normandy Boulevard. I contacted the staff and placed a hold on the item. Lalso received the slip of the pawn with the name Jessica

ADLT

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Chavis.

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Post Miranda, Ms. Chavis stated that she entered the unlocked tool room and stole the framing gun out of the box located at 515 E. 9th Street. She then pawned it for gas money. She verified that it was her fingerprint and signature on the pawn slip. She was arrested and transported to PTDF.

signature on the pawn	slip. Sne was	arrested and			1
Case Cleared by arrest					
Transported By: R.E.VALEN Arresting Officer(s) #1: R.E.VA Div/Zone or Unit: PATROL ZONE 1	TINE #7891 LENTINE #78	Approvia 91 #2: # # of Cases		R #6091	Q-rei
State of Florida, County of Duval			g / Transporting Officer's Signa	ture: _/A	T 18/1
Sworn to (or affirmed) and subscr	ibed before me this	28 day of <u>5-0</u>	, 20 <u></u> , by		
	cation Type of Identi			2	
12 Contal			(](lezos -
Print, Type, or Stamp, Commissioned name of	Notary Public		Signature of Notary - St	ate offiorida Certi	fied Law Enforcement Officer or Corrections Officer:
Investigative Time: #1	Hours: 2	Minutes: 0	Cost Amount: \$96.	48	
Drug Activity: NOT APPLIC Alcohol Related: UNKNOWN	ABLE (OR N/A)		Drug Type: NOT APPL Drug Related: UNKNOW	ICABLE /N (OR N//	4)
Property: #1 Status: STOLEN / ETC. Property Type: TOOLS (han Property Taken by Arresting Offic Turned in at: N/A Firearm Type:	Weapon S		Amount of Money	\$199 . 00	
Drug Type: Manufacturer: PORTER CA Serial # 12299036DBK Quantity: 1.00 Description: FRAMING NA		Weight:	Unit o	of Measure:	
Race: Ethnicity: Sex: Male DOB: Age Name: COMPASS BU Address:	Apt./Lot #: ate: 2	tO ip Bus. Phone	e #Phon	e Ext.	Sub-Sector:
COMPLAINANT #1 Race: WHITE Ethnicity: NO Sex: Male DOB: Age Name: Address: City: S Taz: Crossstreet: Home I Cell Phone # Is Vagrant? NO	T OF HISPANI	Zip: Bus. Phon	e #Phon	te Ext.	Sub-Sector of Arrest Locatio
SUBJECT (POTEN Race: WHITE Ethnicity: NO Sex: Male DOB Mame: ANDERSON MIC	e:	<i>CT) #2 C ORIGIN</i>			
ADLT CHAVIS, JESSI	CA LEANN	AR	REST REPORT	Pg 3 of 4	Jail # 2013017344 AD

Ad City	dress: v:			Ap Sta	t./Lot te:	#:			
	400	~					 	 	

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 Home Phone # Bus. Phone # Phone Ext.

 Cell Phone # Cell Phone Provider E-mail
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dress: 51 y: JACK y: 166 Ci	rossstreet: H Cell Phone Pro	A LEEANN Apt./Lot #: State: FLORI Iome Phone #	IDA Zip: 3220 Bus. Phone # Ph			Sub-Se	ctor of Arrest Location
	rmation (B 017344	ack Door)			Time Admitted: 6 enile/Court Clerk #	/28/2013 23:22	
es the arrest s the arrest	stee exhibit any s tee shown any es	signs of suicidal cape potential o	behavior or atten or violence propen tee that jail persor	aint used on the arrestee? npts? NO Does the arre isity behaviors? NO nnel need to know? NO I of Arrest And B	ted h ave any observable n	vedical/mental health pro	oblems? NO
restee	Personal In	formation		g in Jax? 27			
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Specimen:				a			
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3rd Breath Test I Type:					F	and the second se	

ADLT CHAVIS, JESSICA LEANN



		Ronne Fussell Clerk of Circuit Court ADD ON DOCKET		
Date:June 2	9, 20 <u>13</u> Judge	EMMET FERGUSON, III	P/A:	DAVID F. WILLIAMS

PASS TO: 22-Jul-13 CIRCUIT COURT -

DEF ADJ INSOLVENT & PUBLIC DEFENDER APPT'D DEF'S INVOC OF CONSTIT RIGHTS FILED,

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PROBABLE CAUSE FILED

APP FOR CRIMINAL INDIGENT STATUS

DEFT FOUND () INDIGENT () NOT INDIGENT

	FILED SEP 10 2003	IN THE COUNTY COURT, IN AND FOR DUVAL COUNTY, FLORIDA
		CASE NO. 13-MM-12966
STATE OF FLORIDA	CLERK CIRCUIT CALLET	DKT. NO
VS.	and a set of the second s	DIVISION:
Chavis Jessica L		CHARGE: Petit TheFt
(DER PLACING DEFENDA	NT ON PROBATION
 (1) You shall not change your in probation officer. You will allie (2) You will make a full and true otherwise directed by your presented by your presented by your probation of your probation of your probation of your probation of you will not use intoxicants the are sold, dispensed or used (5) You will not use intoxicants the are sold, dispensed or used (5) You will work diligently at a lary your probation officer to visit (6) You will contribute sixty (\$60) (945.30 FS) (7) You will neither possess nor officer. (1) You will enroll in and success abuse course as determined follow through with any reco (2) You will perform <u>S1-4-4</u> (3) You will perform <u>S1-4-4</u> (4) You will perform <u>S1-4-4</u> (5) You will surrender the keys a immobilization, beginning (1) You will attend the Victim's I <u>Vasce Evert where</u> (5) You may be considered for each other with the summa success of the summa success of the summa success of the summa summa summa success of the summa summa summa summa success of the summa summa	residence or employment nor ow your probation officer to vis thful report to your probation robation officer or the court. You nout violating any law. A convic o excess; nor will you visit plac awful occupation and support a tyou at your place of employm dollars per month supervision carry any weapon or firearm w sfully complete the appropriate by the Department of Highway mmended treatment. (ω) hours community service otaling \$, pre- te a Batterers' Intervention Pr _; you shall also complete an nt counselor or odays date and tag of the vehicle driven du mpact Panel. $\omega = \frac{244}{244}$	officer in person, a minimum of once per month or as u will answer your probation officer's questions truthfully. ction in a court of law shall not be required to constitute ces where illegal drugs or other dangerous substances any dependents to the best of your ability. You will allow nent. fee beginning on a date set by your probation officer. while on probation without the consent of your probation approved alcohol safety education course or substance y Safety and Motor Vehicles approved DUI program and a at an approved agency. o-rated monthly, during the probation period or sooner. ogram through y recommended drug or alcohol treatment as deemed You must enroll fring the D.U.I. offense for days for <u>Rest_itution</u> Ant OF \$6000000000000000000000000000000000000
· · · · · · · · · · · · · · · · · · ·	JMBERED PARAGRAPHS A	BOVE APPLY TO THIS ORDER

You are hereby placed on notice that the Court may at any time, rescind or modify any of the conditions of your probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of probation, it may result in a revocation of probation and the imposition of a sentence.

It is further ordered the Clerk of this court file this order and record the same in minutes of the Court.

DONE AND ORDERED IN OPEN COURT, THE DATE FIRST ABOVE WRITTEN.

JUDGE

I acknowledge receipt of a copy of this order and agree to abide by the terms and conditions thereof, all of which have been explained to me to my satisfaction the date first above written.

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Kerren		hal	Lle	Dira	('hau
Signature of perso	on re	viewing and explaining this Order to Defendant.	Probatic	oner	,
Date 4	10	1.3	Date	9/10/1	3
	1	/			



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Page 1 of 1. 0 total matches.		
Search Parameters		
Govt. Number:		
Date of Birth:		
First Name: JESSICA		
Middle Name:		
Last Name: CHAVIS		
Sex:		
Commission:		
License Type:		
Master ID Last Name First Name Middle SSN/Federal ID Rulings Name	Birth Date City	State

Licensees Rulings Horse Tracking Bulletin Board Preferences Log Off



Florida Gaming Control Commission

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

September 19, 2024

Ms. Jessica Leean Chavis 3114 Rococo Court Orange Park, Florida 32073

RE: Application No. 78358, Entity 14136010 1012 - Cardroom Employee Occupational

Dear Ms. Chavis:

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

Application is incomplete: Please correct the highlighted section(s). It appears that you
have made errors and/or omissions on page 3 of the application. If you have ever been
convicted of or had adjudication withheld for any crime or pled guilty or nolo contendere
to any criminal charges, you must list the offenses in the Background Information section
and provide court disposition records. Please initial and date any changes made to your
application.

You must list the information on your application <u>and</u> provide the court disposition records and arrest reports for the following charges:

- Duval County, FL Arrest(s) -3/28/2013, 10/15/2023, 12/7/2023
- Clay County Arrest(s) 6/10/2020
- Lexington County, SC Arrest(s) 5/20/2020

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

Clay County, FL Arrest(s) – 7/14/2020 (docs were received)

<u>**NOTE**</u> – All charges must be **listed on page 3** of the application under background information and each collum must be completed.

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 850.794.8130.

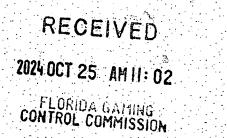
If you fail to provide the Florida Gaming Control Commission with a complete application by 1/18/2025, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. Return the missing document and/or information to the address provided above, attention Office of Operations. If you have any questions please call 850.794.8130.

Additionally, if needed, any individual or business applicant may request a waiver of disqualifying factors in an application that would otherwise be grounds for denial. PMW 3180 - Request for Waiver and PMW-3195 - Request for Release of Information and Authorization to Release Information (forms enclosed). The Division will process a request for waiver upon receipt of a complete application.

Thank you,

HC Operations Analyst II



Leatrice J. Foster 7024 Hielo Drive Jacksonville, FL 32211

Re: Jessica Chavis

I am writing this letter on behalf of Jessica Chavis. I have known Jessica for about 17 years give or take a few and I know she would be a valuable asset/employee if given a chance. Though I may not agree with the last 15 years of life of how Jessica chose to live, I can honestly say I am incredibly proud of this last year and her sobriety she has accomplished. I know she has a long road ahead of her of things in life to correct; but each day she is showing more and more improvement and has been putting in the work to fix it. Please give her a chance: I know Jessica will thrive at whatever task or challenge you ask of her. She is very smart and eager to work. IF you need any additional information, please do not hesitate to reach out to me by my personal email: <u>Onelove88123@aol.com</u>.

Thank You

Lea Foster



RECEIVED

N. 15.

2024 OCT 25 AM II: 02 FLORIDA GAMING CONTROL COMMISSION Desiree I. Foster 7024 Hielo Drive Jacksonville Florida 32211

Phone 904) 333-7170 Email <u>surujpaul@aol.com</u>

RE: Jessica Chavis

TO WHOM IT MAY ONCERN

I am writing this in support of Ms. Jessica Chavis who is currently seeking employment. I have known Ms. Chavis for a few years now. Throughout those years I have admired her for the way she handled the adversities in her life. She has overcome them and has not allowed them to define who she is. She has taken steps to improve her life and is trying to make a new start.

I am confident that whatever position she seeks, she is capable and will be able to perform the necessary duties assigned to her. She is smart, she is a quick learner and most important of all she is honest and trustworthy. She will certainly be an asset to whichever company accepts her as their employee.

If any other verification is needed, do not hesitate to contact me by email.

Respectfully

Desiree I Foster

7. Discussion of license denials

MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Emily Alvarado; Chief Attorney
Re:	Shayla Meshon Howard; Case No. 2024-069186
Date:	January 30, 2025

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") seeks to deny the application of Shayla Meshon Howard (the "Applicant") for а slot machine/cardroom/pari-mutuel combination occupational license (the "Application"). The Applicant submitted a completed application for a slot machine/cardroom/pari-mutuel combination occupational license on November 22, 2024. Upon review of the Application, it appears Applicant has been convicted of one felony offense out of Miami-Dade County, Florida. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Letter of License Denial.

Pertinent Facts

On October 23, 2024, Respondent submitted an application for a slot machine/cardroom/pari-mutuel combination occupational license to the Division. The Applicant answered "no" to if she had been convicted of a disqualifying offense. On October 25, 2024, the Applicant was issued a deficiency letter by the Division requesting an updated application listing errors and omissions on page 4 of the application and that she provide arrest reports and court dispositions regarding arrests in Broward County, Florida from June 27, 1997, October 24, 1998, March 30, 2004, and June 3, 2004. The Applicant completed an updated application on November 22, 2024. Upon review of the completed Application, it appears that the Applicant was convicted of the following felony offense in Broward County, Florida from August 1, 2005:

Possession of Cocaine

This felony conviction is a disqualifying offense pursuant to sections 550.105(5)(b), 551.107(6)(a), and 849.086(6)(g), Florida Statutes. Furthermore, the Commission may deny an application if the applicant has falsely sworn, in a signed oath or affirmation, to a material statement, including, but not limited to, the criminal history of the applicant or licensee.

Relevant Law

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

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

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

"...the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense."

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.

Furthermore, section 16.717, Florida Statutes, provides:_

"[t]he commission may deny the application of, or suspend or revoke the license of, any person who submits an application for licensure upon which application the person has falsely sworn, in a signed oath or affirmation, to a material statement, including, but not limited to, the criminal history of the applicant or licensee. Additionally, the person is subject to any other penalties provided by law.

<u>Staff Recommendation</u>: Therefore, Florida Gaming Control Commission may deny the Application or declare the Applicant ineligible for a slot machine/cardroom/parimutuel combination occupational license upon a finding of a disqualifying offense pursuant to sections 550.105, 551.107, and 849.086(6)(g). Accordingly, the Division of Pari-Mutuel Wagering recommends that the Florida Gaming Control Commission authorize the issuance of a Letter of License Denial to Shayla Meshon Howard in this matter.

HOWARD, SHAYLA MESHON

Case # 2024069186

License Type: Slot Machine/Cardroom/Pari-Mutuel Individual Combination (1055) Occupation: Food Service

Waiver Requested [] Yes [✓] No

90-Day Deadline is 02/20/2025

CASE FILE ROUTING SLIP

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SLOT MACHINE APPLICATION

RE: HOWARD, SHAYLA M (APPLICANT'S NAME		Case No:	2024069186
COMPLE	IVED: DLINE:	10/23/2 (Date 11/22/2 (Date 2/20/2 (Date (Initial & ness and accuracy,) 2024) 025) Date)
Licensing Section:	430	CASHIE	Ð
Application Processor			tion/Job Title
Reviewed byCH Is the applicant currently unlicense by any gaming or rad Yes NoX Is the applicant related to an Yes NoX	cing jurisdiction? other application?	(Initial & unpald fines, or has	•
Comments: Application a resulted in disqualifying c		ved. Applicant's cr	iminal history
Office of Director: Reviewed by Director Approve Applicatio Deny Application		(Initial & Date)	

*Please attach Routing Slip to front of case file.

Comments:

Division of Pari-Mutuel Wagering

Licensing Administrator Review of Occupational License

********	HOWARD,	, SHAYLA MESHOI	N-800	5337		2024-069186	
	(Applicar	nt's Name-License #)			**********************	Case No:	
11		LICATION REC	EIVE	ED:		10/23/20	024
A	pplication	Deemed Comp	lete:			11/22/20	024
lf	no Request	for Waiver recei	ived,	90-Day Deadli	ine: ·	2/20/20)25
W	aiver Requested:	_ ,		s.120.60, F.S., the proc quested	cessing time	eline requirement has	been waived.)
	TL	430	- Pomp	ano Park	Foo	d Service-Cashi	er
	Application Processo	r Fa	cility (d/b/	/a name)	0	ccupation Code / Job Titl	e/Job Title
a jury vero theft whic	dict, non-jury trial h are defined for	07(6)(c) Conviction is de , or entry of a plea of gu purposes of slot machir ransaction with another.	iilty or n ne gami	olo contendere. An	y misdeme	eanor conviction to	include fraud and
		Licens	Conception and an and a second	dministrator Re	view		
Did the -	anligetier	rotaly rollast the Origin		Conviction	u0		
		rately reflect the Crim ssued to request infor				⊠Yes □ ⊠Yes □No	No
				anor(s) – Industry			d / Bookmaking
		tortion, Conspiracy to					d / DOORMAKINg
		-Mutuel Professons)					
Comme	nts: **See Rap	Sheet for additiona	l offen	ISES**	144.00.000		
Arrest Da	ate Location	Charge	Level	Court Case #		Disposition (or Unkr	iown)
10/24/19	98 Broward County, FL	Charge 1-Burglary	F	Unknown		Unknown	
03/30/20	004 Broward County, FL	Charge 1 - Possession of Cocaine Charge 2- Poss/sell	F	062004CF005352	-	Adjudication With	held
		Dextropropoxyphene	F	062004CF005352	A88810	Nolle Prosequi	
		Charge 3- Failure To Appear	М	03125206TC20A		Unknown	
06/03/20	04 Broward County, FL	Charge 1- Deal In Credit Cards of Another	F	062004CF009153	A88810	No Action	
			Rela	ted Licenses			
Check V	R License Rel	ations to Determine			to a Busi	ness.	
		nt related to a busines		Yes 🗌 🛛 No 🖂		omplete section	s below.
Business	License Numb	er:	Bu	siness Name:		аланын	
Has a de	ficiency letter b	een issued to the bus	iness i	ndicating all ODSs	s must be	licensed? Yes] No □
	iciency Letter Is		Frank Street Str	tials:			
Commei							
		Licens	ina Ad	dministrator Re	view		
			SHOESE AND A SHOESE	ion Confirmation			
		s/Arrests Confirmed?	Ye	s 🛛 🛛 No 🗌		Approval	
Forward	to 🗌 Investig	ations 🛛 Legal		Commission	Initials:	CH Date:	12/09/2024

OCCUPATIONAL LICENSE FEE VOUCHER

Date: SHAYLA HOWARD AWSISATE -Applicant Name: (Please Print) Position/Title: (Please Print) This voucher must be submitted with the applicant's completed Slot/Cardroom Pari-Mutuel Indiv Combo License Application. Form to the FGCC Licensing and Compliance Office. Upon receipt of an authorized voucher, Harrah's Pompano Beach agrees to remit to the Division. 100 (3-year license) □\$37.25 (New fingerprints) □\$13.25 (Renewal Fingerprints) Human Resources Authorized Signature For Accounting use only.

PS-03-1051

FGCC PMW-3410 – Slot Machine Individual Occupational License Application

RECEIVED

OCT 2 3 2024



STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION DIVISION OF PARI-MUTUEL WAGERING www.fgcc.fl.gov

APPLICATION CHECKLIST – IMPORTANT – Submit all items on the checklist below to ensure faster processing.

ALL License Applicants must submit:
Completed Form FGCC PMW-3410 – Print clearly and complete all sections that are not optional in black or blue ink.
Provide Identification – Required by Rule 75-14.010, Florida Administrative Code.
 Provide a copy of one of the items below: US Passport OR, Provide a copy of two of the items below: Birth Certificate Military ID Card Foreign Passport
 Certificate of US Citizenship or Naturalization Permanent Resident Card Dirtri Certificate Inver's License Country ID Card Country ID Card 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 FGCC.
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: FL925185Z.
IMPORTANT: Electronic fingerprint processing fees must be paid directly to the law enforcement agency or FDLE approved Livescan Service Provider.
Fingerprint Card: Fingerprint cards (FD-258) can be mailed to applicants upon request by contacting the Division at the address or phone number below. Completed fingerprint cards must be mailed to the Division with your application.
IMPORTANT: Fingerprint card processing fees must be paid to the Division. Please see http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx for the current fee amount.
Fingerprint Resubmission for Renewal and Upgrade Applicants: Applicants timely renewing or upgrading a license need only provide the Division a fingerprint resubmission processing fee. Visit our website or contact us for the current fee amount.
IMPORTANT: Timely submission of renewals must occur within one year of the expiration of applicant's license.
Please mail your completed application, documentation and required fee(s) to: Florida Gaming Control Commission Pari-Mutuel Wagering, Licensing Section 2601 Blair Stone Road, Tallahassee, Florida 32399-1037 Phone: 850.488.3211

FGCC PMW-3410, Effective September 2020, Rule 75-14.005, F.A.C.

RECEIVED

OCT 2 3 2024

Florida Gaming Control Commission Division of Pari-Mutuel Wagering FGCC PMW-3410 – Slot Machine Individual Occupational License Application

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

	DE	MOGRAPI	HIC INFOR	MATIO	N					
Social Security Number	E	Birth Date	(MM/D	D/YYYY)	Gende	er			
								Male	M	Female
Last Name	Fir	st			Midd	le			5	Suffix
HOWARD	SH	AYLA			ME S	HON				
Have you used, been known as, or calle the name used on the application?	ed by another Yes 🕅	r name (ex No	ample – m	aiden na	ime, pseu	idonym,	nickn	ame) or	alias	other than
If yes, list the name or names used:										
	Asian or Pa Hispanic/La			Native Other	American	n or Alas	kan N	ative		
Are you a United States citizen?			ו:							
Current Mailing Address				Email /	Address (optional)				
4221 WEST MCNAB RD #37										
City	State	Zip Code	(+4 option	al)	Country					
POMPANO BEACH	FL	33069			USA					
Primary Phone Number			Secondar			nber (op	otional)		
754-214-6487										
Current Street Address										
4221 WEST MCNAB RD #37										
City DOMDANO BEACH	State	Zip Code	(+4 option	al)	Country					
POMPANO BEACH	FL	33069			USA					
Type of Slot Machine Occupational Lice	nse applying ssional Indivi			Is this y license	your first in Florida es X	a?	olying	for a rac	:ing/g	aming
Slot Machine/Cardroom/PMW Com	bination			Facility	where er	mployed	and/o	or doing	busir	ness:
Job title(s)* MYRON'S CASHIER				PPI IN	IC.					
			64	Employ	yer name	:				
*Applicants for a Combo license should disclose all	job titles			HARR	AHS C	ASINO	PON	IPAN) BE	ACH
	1	FOR DIVIS	ION USE	ONLY						
License Code 1055 Licen	se #_ <u>800</u>				263		App	# 48	51:	52
Association Code 430 Date	Received	10/23/	<u>24</u> Ent	ered By	AKa	han	Lice	nse Yea	ar_ Ə	4/27
License Fee 100^{30} FP	Date 10	23/24	FP	Fee	Ò			I Fee	10	D D
Waiver Requested (Combo Only)			RCI				nforc	ement		

FGCC PMW-3410, Effective September 2020, Rule 75-14.005, F.A.C.

		EMPLOYMENT HI	STORY (/	ATTAC	CH ADDITIONAL PAG	GES AS NECESSARY)	
Yes No		reviously worked for a must list below all gami			d employer? ployment history in the	e past ten vears.	
Name of	Employer	Address		Star	art Date (Month/ Year) nd Date (Month/ Year)	Title/Position Held &	Reason for Leaving
HARRAH	IS CASINO	POMPANO BEACH, FL		03/2	20/2007	CASHIER	PRESENT
						PAGES AS NECESSARY)	
Ves VNo	Have you ev licenses and	ver been licensed in an d provide the details in t	ly other ra	cing or	or gaming jurisdiction?	lf yes, you must list all curre	ent and previous
St	ate(s) or Juris Where Lice	sdiction(s)	Date of Expirat	of	Is th	his license currently suspe	
N/A		liseu	EApira		□ Yes □ No	o fines or other discipline?	Explain why.
					Yes No		
					□ Yes □ No		
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					Yes No		
					Yes No		
					Yes No		
					Yes No		
□ Yes ✔ No	the state(s) c	or jurisdiction(s) of licer	ensure revo	ocation	n or denial and explain	or any other state or country n why.	? If yes, you must list
		ne question above, prov					
N/A							
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	BACKGR		TION (ATTACH ADDITI	IONAL PAGES AS NECES	SSARY)
Yes No	Have you ever bee larceny, extortion, commission or aut	en convicted of, or or conspiracy to de hority, in this state	had adjudication of guilt lefraud, or filing false repo e or any other state, or un	withheld for, a felony or mi orts to government agency nder the laws of the United	isdemeanor involving forgery, /, racing or gaming States?
Ves V No	criminal charges an application and you	gainst you? If yes	had adjudication withheld s, the court disposition rec ails in the section provide	cords for all convictions mu	ilty or nolo contendere to any ust be submitted with this
Date of Dispositi		State	Offense	Misdemeanor or Felony?	Sentence
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V No	manufacturer or di machine licensee?	stributor, or a busi	iness that sells slot mach	nine related products, service	ices, or goods to a slot
□ Yes ✔ No	Do you currently or by a Florida license		acility?		ity or in any business owned
			ADDITIONAL INFORM	ATION	
N/A					

PLEASE READ AND SIGN BELOW

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

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

Each application for a license or renewal of a license issued by the Florida Gaming Control Commission shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

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

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Florida Gaming Control Commission or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

SHAYLA ME SHON HOWARD		
Print Legal Name (First Middle Last)	Birth Date (MM/DD/YYYY)	
	PPI INC.	
Social Security Number	Name of Employer	
That the Houngol	10-23-2024	
Signature of Applicant	Date	

(nf11) Complaint Search

Page 1 of 1

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Get Adobe Reader.

NO ENFORCEMENT FOUND



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Licensee:SHAYLA M. HOWARD

Reports on SHAYLA M. HOWARD Comprehensive Ruling Report Drug Ruling Report (Last 5 Years) Comprehensive Licensee Report

<u>Identification Information</u> Date of Birth	Federal ID/SSN	Add a I Country	New Identification Record Sex
<u>Name Information</u> Name Type Current Legal Name	Prefix First Name SHAYLA		Add a New Name Record Name Suffix VARD
<u>Address Information</u> Address Type	Street Address	City State	Zip Code
<u>Phone Information</u> Phone Number Type		Phone Number	
<u>License Information</u> License Number License Type 8005337 Other/OTB/Casi Other/OTB/Casi	ino 6/20/2007 6/30/20	ion Date Licensing Commissio 08 Florida Division of Par	i-Mutuel Wagering
<u>Fingerprint Information</u> Processing Commission	Date Taken Statu	AND A LONG AND AND AND	a New Fingerprint Record itted Date
Ruling Number Ruling Type	Ruling Date Fine Fir	ne Paid? Suspension Start	Suspension End
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Comprehensive Ruling Report Comprehensive Licensee Report No Picture Available



2024 NOV 22 PM 12: 14

FLORIDA GAMING Control commission

Department of Business and Professional Regulation CON Division of Parl-Mutuel Wagering DBPR PMW-3410 - Slot Machine Individual Occupational License Application

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instructions: Piesse review this application thoroughly and complete all sections not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

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Birth Birth	Date AMODYYYY) Gender D Male D Female
HOWARD (MAL	1/2 Meshon Burter
Mave you used, been known as, or called by another ten	ne (example - maiden neme, peeudonym, nickname) or siles other than o
If yes, list the name or names used:	
Rece/Ethnicity (check only one): E Black or African American C White or Caucasian	
Are you a United States citizen? Yes D N If no, provide the name of the country of which you are a	ko ctilzen:
4221 WEST MCNAB RD	4-37. Email Address (ontioned)
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954-901-8592 Current Street Address	Secondary/Cell Phone Number (optional)
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Type of Slot Machine Occupational License applying for:	is this your first jints applying for a racing/gaming itcanse in Florida?
D Slot Machine/Cardropm/PMW Combination	Facility where employed and/or doing business: Har(ch's (0.5100
Applicants for a Combo license should disclose all jub tilise	Employer name: HAKTAD'S MSIND
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DBPR PMW-3410, Effective September 2020, Rule 61D-14.005, F.A.C.

2024 NOV 22 PH 12: 14

ELDRIDA GAMING 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 acreaning 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 Parsonal Responsibility and Work Opportunity Reconciliation Act of 1998 (Weilare Reform Act), 104 Pub.L. 193, Sec. 317. I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerminita may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.058 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Nonoriminal Justice Applicant's Privacy Rights is available on the Division's website. Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law. I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes, I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that faisification 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 ablde 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 noto contendere to any discuslifying offense, regardless of adjudication. AUTHORIZATION FOR RELEASE OF INFORMATION: I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation or the Florida Department of Law Enforcement, I further authorize any individual, againcy, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes Name (First Middle I Birth Date (MM/DD/YYY) wity Numbe Sic

DBPR PMV-3410; Effective September 2020, Rule 61D-14.005, F.A.C.

Page 5 of 5

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DBPR PMW-3410, Effective September 2020, Rule 61D-14.005, F.A.C.

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An Equal Opportunity Employer

FLORIDA DEPARTMENT of CORRECTIONS

Governor CHARLIE CRIST

Secretary JAMES R. McDONOUGH

http://www.dc.state.fl.us

2601 Blair Stone Road • Tallahassee, FL 32399-2500

Date: February 1. 2007

RE:

TERMINATION OF SUPERVISION DC# <u>L51985</u> DOCKET/UC NO(S) 04005352CF10A

<u>Shayla Howard</u> 540 NW 4th Avenue #1416 Ft. Lauderdale, FL 33311

Dear Ms. Howard

You are hereby notified that you have completed your term(s) of supervision, as referenced above, and are no longer under the supervision of the Department of Corrections.

If you were adjudicated guilty of a felony offense, your name will be submitted to the Florida Parole Commission for consideration for restoration of the civil rights that you lost as a result of your felony conviction (right to vote, right to hold public office, and the right to serve on a jury). If your rights are restored, a certificate of restoration of civil rights will be mailed by the Office of Executive Clemency to your last mailing address of record usually within one year following the termination of supervision. If your rights are not restored through this initial referral, you will be notified by the Florida Parole Commission and furnished an additional application for submission for restoration of civil rights with a hearing. If you have any questions about your civil rights, you may contact the Office of Executive Clemency for further information by calling (850) 488-2952 or by writing to that office at Florida Parole Commission, 2601 Blair Stone Road, Building C. Tallahassee, Florida 32399-2450. Information and application forms may be accessed through the following web site: www.state.fl.us/fpc/exclem.html.

After eight (8) years from termination of your supervision, you may apply to regain your right to own firearms. Applications can be obtained from the Office of Executive Clemency or be accessed by the web site noted above.

If adjudication was withheld, you did not lose your civil rights, however, the Florida Department of Law Enforcement (FDLE) may refuse the right for you to purchase a firearm following successful completion of supervision, pursuant to Section 790.065 Florida Statutes. Contact your local PDLE office if you have questions regarding this law.

I would like to extend to you best wishes for a very successful future.

Sincerely, Officer G. Milicchio

If you were on supervision for a sexual offense, attached is a copy of the Notice of Responsibilities, which outlines your continued responsibilities in accordance with Florida Statutes.

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If you were sentenced as a career offender, attached is a copy of the Career Offender Notice of Responsibilities, which outlines your continued responsibilities in accordance with Plorida Statutes. EXHIBIT #4

Original:	Offender
Copy:	Offender File
	Florida Parole Commission (if applicable)
	Clerk of Court (if required)
Revised	03/06}

PAGE # 3

RECEIVED			FTU
2024 NOV 22 PM 12: 14			FELONY
IN THE CHRCHELCOURT OF T CONTROL COMMISSION	HE SEVE C(NTEENTH JUDICIAL CIRCUIT DUNTY, FLORIDA	IN AND FOR BROWARD
STATE OF FLORIDA, VS	Plaintiff	Case Number: 04009153CF10A	SAO Book No: WS04000183
SHAYLA HOWARD		Offense Report No: WS0400302000 BSO Arrest No: WS04000183	Offense Date: 06/03/2004 Arrest Date: 06/03/2004
	Defendant	DOB: Race[B] Sex[F]	BCCN: 0645271
		anne sa anna anna anna anna anna anna an	
то	THE CLERK	OF THE ABOVE-STYLED COURT:	

The State hereby announces the following actions to be taken on the charges involved in the above-captioned arrest/matter;

Action to be taken DECLINE CASE

Count Action	Short Description
NO INFO	817.60(5) - 3/CF - CREDIT CARD-DEALING
CHRG PRESENTED	817.60-5 - 3/CF - DEAL IN CREDIT CARDS OF ANOTHERS

Victim's Namos KELLY AMATO

Special Instruction to the Clerk/Jail



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Detec 23 day of June, 2004

Michael J. Satz, State Attorned By: JAMES TYLOCK/vl, 45A Florida Bar No: 0153980 Phone: 954-831-6012

SHAYLA HOWARD 540 NW 4 AVE FT/LAUD, FL 33311

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Clerk Comments		
Filed	Custody Status	Division
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Page 1 of 1

2024 NOV 22 PH 12: 14

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FLORIDA GAMING CONTROL COMMISSION

COMPLAINT AFFIDAVIT

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ARREST FORM

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CLERK OF THE COURTS * * * BROWARD COUNTY 17th JUDICIAL CIRCUIT OF FLORIDA * * *

Home | Online Services | FAQ | Fine Payments | My Account | Public Search | Downloads | Premium Search | Case Summary

Broward County Case Number: 04005352CF10A Court Type: FELONY Incident Date: Court Location: BROWARD COUNTY CENTRAL COURTHOUSE

State Reporting Number: 062004CF005352A88 Case Type: FELONY Filing Date: 04/20/2004

Case Status: DISPOSITION ENTERED*

Case Parties										in the second
Relationship	Last Name	First Name	Middle Name	Party Type	Sex	Race	Year of D.O.B.	D.O.D.	ID Type	ID Num
001	HOWARD	SHAYLA	M	DEF	F	в		1	BCCN	064527
001	SALOMON	DAVID	1	PD					BARID	000000
002	MOONS	TERRENCE	JR	SP				1	BARID	000000
	GATES	MICHAEL	L	JUDGE				1	JUDGE	FC

Key Dates - Future Scheduled Events

There is no key date information available for this case.

Counts						CONTRACTOR
Select Count	Count	Status	Statute	Statute Description	Filed On	File
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0	002	CLOS	FXXD893034.O	POSS/SELL DEXTROPROPOXYPHENE	04/20/2004	OA PAR

Related Cases

There is no related case information available for this case.

Please click the "Pay Fine/Fee" button to check if fines or fees are due.

* Click Here for clarification of the case status.

Case Detail NOTE: Selecting the "Case Detail" button will deduct one unit from your account.

Pay Fine/Fee

NOTE: The "Pay Fine/Fees" request may take up to 60 seconds.

Perform/Another Search

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Broward County Clerk of the Courts Contact Us

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a publi records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



<u>screen?</u>



GLERKOETHECOURTS ¥ * BROWARD COUNTY 17th JUDICIAL CIRCUIT OF FLORIDA * **

Home | Online Services | FAQ | Fine Payments | My Account | Public Search | Downloads | Premium Search |

What is the Case Detail best way to print this Broward County Case Number: 04005352CF10A State Reporting Number: 062004CF005352 Court Type: FELONY Case Type: FELONY Incident Date: Filing Date: 04/20/2004 Court Location: BROWARD COUNTY CENTRAL Case Status: DISPOSITION ENTERED* COURTHOUSE

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Disposition Detail by Count

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Disposition Detail - Case Information Count **Disposition Date** 001 8/1/2005 Disposition CONVICTED BY PLEA Adjudication Date Adjudication 8/1/2005 WITHHELD

Sentence Information by Count

View Selected Sentence Sequence 01 🕱

Sentence Detail			
Sentence Sequence	Sentence Date	Judge ID	Revised
01	8/1/2005	MICHAEL L GATES	
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Special Condition			
License Status	Years	Months	Days
Probation	Years	Months	Days
PROB REPT		18	
Probation End Date			
2/1/2007			
Special Condition			
Jail	Years	Months	Days
Credit Time Served	Years	Months	Days
			EXHIBIT #
			PAGE #

https://www.clerk-17th-flcourts.org/bccoc2/PUBSEARCH/disposition_detail.asp?hidCase... 7/12/2007



Time Served		Number of Weekends
Special Condition		
Program		Driving School Completion Date
Special Condition		
Community Service	Hours	
Special Condition		
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Concurrent	Count	Case Number
Consecutive	Count	Case Number
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Return to Case Summary

Perform Another Search

Clicking the buttons above, exits your paid search.

Broward County Clerk of the Courts Contact Us



* * * BROWARD COUNTY 17th JUDICIAL CIRCUIT OF FLORIDA * * *

Home | Online Services | FAQ | Fine Payments | My Account | Public Search | Downloads | Premium Search | Case Summary

Broward County Case Number: 04009153CF10A Court Type: FELONY Incident Date: 03/30/2004 Court Location: BROWARD COUNTY CENTRAL COURTHOUSE

State Reporting Number: 062004CF009153A88 Case Type: FELONY Filing Date: 06/24/2004

Case Status: DISPOSITION ENTERED*

Case Parties	· · · ·									
Relationship	Last Name		Middle Name	Party Type	Sex	Race	Year of D.O.B.	D.O.D.	ID Type	ID Nu
001	HOWARD	SHAYLA		DEF	F	В			BCCN	064
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Key Dates - Future Scheduled Events

There is no key date information available for this case.

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Related Cases

There is no related case information available for this case.

Please dick the "Pay Fine/Fee" button to check if fines or fees are due.

* <u>Click Here</u> for clarification of the case status.

Case Detail NOTE: Selecting the "Case Detail" button will deduct one unit from your account.

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CLERK OF THE COURTS
 * * * BROWARD COUNTY 17th JUDICIAL CIRCUIT OF FLORIDA * * *

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 What is the best way to print this screen?
 Case Detail

 Broward County Case Number:
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 State Reporting Number:
 062004CF009153

 Court Type:
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 Case Type:
 FELONY

 Incident Date:
 03/30/2004
 Filing Date:
 06/24/2004

 Court Location:
 BROWARD COUNTY CENTRAL COURTHOUSE
 Case Status:
 DISPOSITION ENTERED*

	Counts	Parties	Defendant	Warrants	Bond	Arr
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Disposition Detail by Count

001 View Selected Disposition by Count

Disposition Detail - Case Information	
Count	Disposition Date
001	6/24/2004
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Return to Case Summary

Perform Another Search

Clicking the buttons above, exits your paid search.

Broward County Clerk of the Courts Contact Us





2024 NOV 22 PM 12: 14

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Broward County Sheriff's Office RIDA GAMING CONTROL COMMISSION

Booking Report

CIS #	36040018	3		BCCN	#	645271				Booking Si	neet Contr	rol Date and	t Time
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* End of Report *



BRENDA D. FORMAN CLERK OF CIRCUIT AND COUNTY COURT 17th JUDICIAL CIRCUIT Juvenile Division Room 5180 201 SE 6 Street Fort Lauderdale, FL 33301

RECEIVED

2024 NOV 22 PH 12: 14 FLORIDA GAMING CONTROL COMMISSION

Date:	November 18, 2024
From:	Juvenile Division
Case No:	N/A
RE:	Howard, Shayla Meshon
D.O.B.:	

Any delinquency court file(s) and/or record(s), which may have existed for the abovenamed individual have been purged / having met the retention criteria dictated by the Florida Statutes, and is/are no longer available for review. This statement is made based on the information provided to us, including, but not limited to date of birth, date of arrest, case number, etc. Files meeting the above criteria are removed from the JUVENILE DIVISION to the Archives Division, where they are ultimately **destroyed**.

17th JUDICIA Judicial Court Deputy Clerk County, Florida



BRENDA D. FORMAN

CLERK OF CIRCUIT AND COUNTY COURT 17TH JUDICIAL CIRCUIT

201 Southeast 6th Street Archives, Room 3305 Fort Lauderdale, Florida 33301

CERTIFICATE OF RECORD SEARCH

RE: SHAYLA HOWARD

DOB:

After a diligent search of the records in the Circuit Court <u>Archives Division</u>, of Broward County Florida for the Year of:

There is no record of any charges against the above named individual.

The following charges have been found:

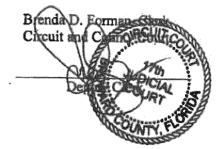
Case Number

Case Number	Status/Disposition
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City records were not transferred to the County Court/Circuit Court until approximately 1975-1976. Contact the appropriate city for further information.

Pursuant to Florida rules of Court (Rule 2.075), Retention of Court Records, the requirement for retaining Misdemeanor cases is five (5) years, and Felony cases (Not Adjudicated Guilty) is 10 years. Therefore, the above file(s) is/are unavailable if any of them have an applicable disposition date.

WITNESS MY HAND AND SEAL AT FORT LAUDERDALE, THIS MONDAY. NOVEMBER 18, 2024.



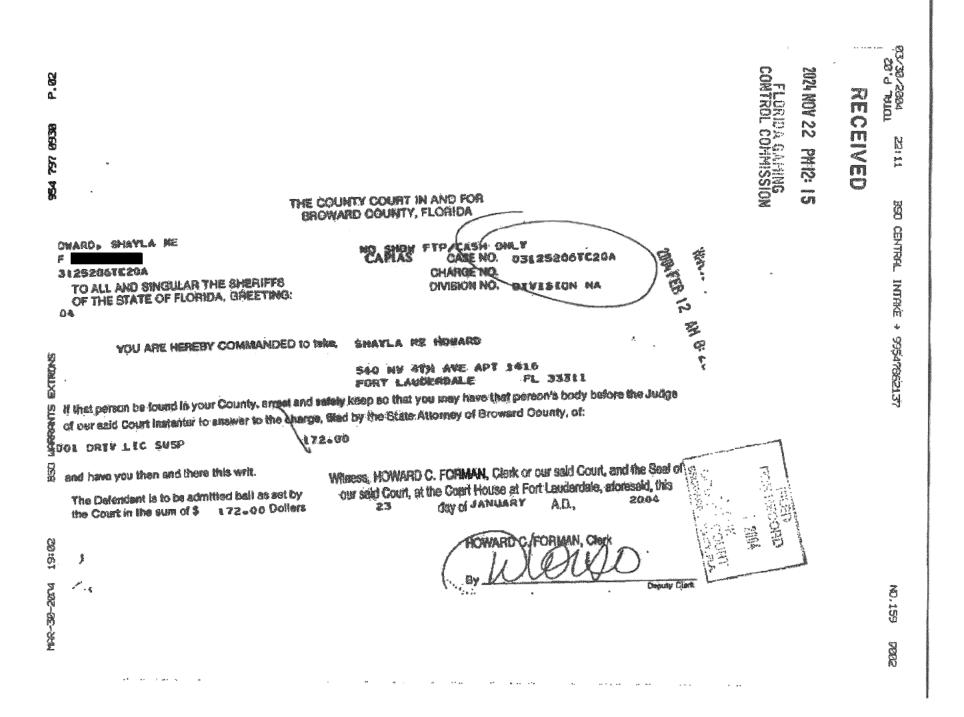
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Broward County Sheriff's Office

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Booking Report

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the above offenses charged and the facts showing probable cause to believe the same are as follows: The District SII Beleative Enforcement Team received an anonymous tip stating that the (crime location) the above named

residents living at 90 NE 36 Court \$92 were selling crack cocains from the apartment.

On March 38, 2004, at approximately 1708 hrs, Dat Lopez and myself went to 98 NE 36 Court \$92 and I knocked on the front door. A black female, later identified as Shayla Howard, answered the door. I identified myself as a police officer and explained to her about the tip we had received. Howard immediately denied any knowledge about drug use or sales from the apartment and stated that she was a single nother of three children and could not afford to be involved with drugs. She then offered to show we her children and invited me inside the apartment. As Det Lopez and I entered the apartment, we noticed three black males sitting on the couch. I asked them who they were and they identified themselves as Brederick Everett, Darryl Jackson, syvear the above spacement is correct and true to the beat of

9- #V # # # # # # # # # #	And a set of the local of the Dest	of my knowledge and belief.		
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STATE OF FLORIDA		<u>Healer, Jerry 10343</u> Officer's Name CCN	- 1:311 °	it. i
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(name and title), who is per	soustriced on entre in this	day of 11	and they In	
	service report to me or has prod	day of 11 fermina 20 (year), b uced as ide	nilication.	
Notary Public, Deputy Clerk	of the Court, or Assistant State			
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Print, Type or Stamp Comm	tistoried Name of Notary Public			
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Howard stated that she lived in the apartment with her three children and together they occupied the north most bedroon. She lad me to her bedroon and showed me one of her children who was as leep on the bid. I asked her if she had any drugs within the bedroom and she said "NO, do you want to check". I advised Howard that I would like to search the apartment, including her bedroom; for drugs and she said "Go ahead and search." I then located two small pieces of grack cocaine on top of the dresser in Howard's bedroom. The crack field tested positive for cocaine. I also located a prescription bottle written to Shayla Howard right next to the crack cocains rocks. The prescription was written for Brythromycin (antibiotic) 258 mgs. Inside the bottle word 13 Brythronycin tablets, and Amexiciliin cansule (antibistic), and one white tablet identified as Propayations Nameylate 180 mg - a scheduled IV controlled substance. The Proposyphens Mapsylats tablet was poritively identified from the Drug Identification Bible.

I then read Howard Miranda Warnings per card and she stated that she understood them and wished to talk with me. I asked her what the white tablet inside the prescription bottle was and she stated that it was a "pain pill". She said that she wixes all of her medication tegether but could not provide as with a prescription for the Propoxyphene Napsylate tablet or explain where she got it from. I then asked Howard about the crack cocaine that was found in her bedroom and she initially denied any knowledge of it and stated that she did not know of any drug activity taking place within the apartment. Later, Howard changed her story and stated that her half-brother, Broderick Everett, was using and selling crack cocaine from the apartment. She

ar the above statement is correct and inva to the beat of my knowledge and ballef. OneanAme Mealer, Jerry 10343 (Original) Officer's Name/GCN STATE OF FLORIDA COUNTY OF BROWARD Sworn to jubr stiftmed) and subscribed before me this $\underline{30}$ day of (name and little), who is personally known to me or has produced 11 horach 200 Wearl, by Det SOT PA as identification, Notary Public, Deputy Clerk of the Court, or Assarbant Steep Attorney SoT/STAG PISANT THE OF HOME / EXTR Print, Type or Stamp Commissioned Name of Notery Public (Saal) Seventeenth Judicial Circuit Browend County State of Florida FIRST APPEARANCE / ARREST FORM

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A records check revealed that Heward had an active capais for DWLS and she was placed under arrest.

Next. I made contact with Broderick Everett. He stated that he lived in the south most bedroom and kept his clothes and other property in there. He said that he shares the room with his sister, Laquanda Howard, and I asked him for consent to search the bedroom and the apartment for drugs. Everett freely gave me consent to search the apartment and his bedroom and I located a small white cardboard hox on top of the bedroom's dresser. Inside the box were seven crack cecaine rocks. The crack field tested positive for cocaine. I then read Everett Miranda him about the crack within the box and he too initially denied any knowledge of it. Later, he changed his story and said that the drugs belonged to "a guy who used to live in the apartment". Everett admitted to knowledge and possession of the drugs but said that he was only helding it (the box with crack cocaine) for him and was planing on giving it back to him when

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Everett was placed into custody for possession of crack cocaine and Howard was charged with possession of cocaine, possession of Propoxyphene Napsylate, and the active capais for DWLS. They were taken to the District XII station and later transported to the BSO Main Jail. The crack cocaine and the Propoxyphene Napsylate tablet were placed into evidence and will be sent to the BSO Lab for confirmation

I swear the above statement is correct and hue to the beat of my knowledge and belief.

Officeur/Antani's Signsture STATE OF FLOAIDA COUNTY OF BROWARD Swom to (or affirmed) and subscribed before me this 3 (name and thie), who is personally known to me or has pro-	auced as it	by <u>file a file f</u>	<u>5<u>6</u>7</u>
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2024 NOV 22 PH 12: 15

FLORIDA GAMING
CIRCUIT COURT DISPOSITION ORDER IN AND FOR BROWARD COUNTY FLORIDA
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Adj. and Sentence deferred to
() Youthful Offender () Drug Offender () Sexual Offender () Habitual Offender () Mental Health () County PROBATION/COMM. CONTROL: () Revoked () Reinstated () Modified () Terminated () Extended WARRANT: () Dismissed () Withdrawn () Served in open court
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SPECIAL CONDITIONS OF PRISON SENTENCE:
 () Habitual Violent Offender mandatory minimum years Ct(s) () Violent Career Criminal mandatory minimum years Ct(s)
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() To be given credit for all time previously served in prison, to be calculated by Department of Corrections
SPECIAL CONDITIONS OF PROBATION: ()
() hours of Community Service () Obtain GED or High School diploma
() Anger Management Program () Psychological / Psychiatric evaluation and treatment
 () BARC () followed by
sexual assaults; lewd or indecent acts; homicides (782.04) () Random urinalysis/waive costs
aggravated battery; home invasion robbery or carjacking () Curfew
() Curfew () Restitution ordered \$/amount reserved () Drug/Alcohol evaluation and treatment recommended () Spectrum
() Forfeit weapon / firearm () Substance abuse evaluation
() F.A.C.T. () Turning Point Bridge Program/Aftercare () House of Hope () Work permit
() IRT () followed by to to to
() May transfer probation to
 (). May travel for work purposes () No contact with minor children without adult supervision
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Before me this date personally appeared Mealer, Jerry 16343

who being first duly swont deposes and says that on The District XII Selective Enforcement Team received an anonymous tip stating that the residents living at 98 ME 36 Court 292 were selling crack cocains from the apartment.

On March 30, 2004, at approximately 1700 hrs. Det Lopez and ayzelf went to 90 NE 36 Court #92 and I knocked on the front door. A black female, later identified as Shayla Howard, answered the door. I identified sysclf as a police officer and explained to her about the tip we had received. Howard immediately denied any knowledge about drug use or sales from the apartment and stated that she was a single nother of three children and could not afford to be involved with drugs. She then offered to show as her children and invited as inside the apartment. As Det Lopes and I satered the apartment, we noticed three black males sitting on the couch. I asked then who they were and they identified these lves as Broderick Everett, Darryl Jackson, and Chrogiques Alberic.

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STATE OF FLORIDA COUNTY OF BROWARD		A.
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38 day of <u>March</u> 2084year); at <u>98 NR 36 Cenart 22 Oakland Park Flarids</u> Joins Kontor the above named defendent committee the above offenses charged and the lacts showing probable cause to believe the same are within an interview.

Howard stated that she lived in the apartment with her three children is d tegether they occupied the most bedroom. She led no to her bedroom and showed is one of her children who was asleep on the bed. I asked her if she had any drugs within the bedroom and she said "MO, do you want to check". I advised Howard that I would like to search the apartment, including her bedroom, for drugs and she said "Go ahead and search." I then lecated two small pieces of crack cocaine on top of the dresser in Howard's bedroom. The crack field tested positive for cocaine. I also located a prescription bottle written to Shayla Howard right next to the crack cocaine rocks. The prescription was written for Hrythromycin (antibiotic) 250 mgs. Inside the bottle were 13 Hrythromycin tablets, one Amoxicillin capsule (antibiotic), and one white tablet identified as Propoxyphene Mapsylate 160 mg - a scheduled IV controlled substance. The Propoxyphene Napsylate tablet was positively identified from the Drug Identification Bible.

I then read Howard Miranda Warnings per card and she stated that she understood them and wished to talk with me. I asked her what the white tablet inside the prescription bottle was and she stated that it was a "pain pill". She said that she mixes all of her medication together but could not provide me with a prescription for the Propoxyphene Mapsylate tablet or explain where she got it from. I them asked Moward about the crack cocaine that was found in her bedroom and she initially denied any knowledge of it and stated that she did not know of any drug activity taking place within the apartment. Later, Heward changed her story and stated that her half-brother, Broderick Everett, was using and selling crack cocaine from the apartment. She

I awayer this above statement is correct and into to the best	of my knowledge and bailet.	•	
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	Officer's Name/DCN	Officiar's Division	
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Before me this date personally appeared Mealer, Jerry 18343 hom deales and says that on who being that dup? 30 day of March desendant committed the above offenses charged and the la time logation) the above named said that she knows about his drug activity but tries to keep it away from her children.

A records check revealed that Howard had an active capais for DVLS and she was placed under

Next. I made contact with Broderick Everett. He stated that he lived in the south most bedroom and kept his clothes and other property in there. He said that he shares the room with his eister, Laguanda Howard, and I asked him for consent to search the bedreen and the apartment for drugs. Everett freely gave as consent to search the apartment and his bedroon and I located a small white cardboard box on top of the badroon's dresser. Inside the box were seven crack cocains rocks. The crack field tested positive for cocaine. I then read Everett Miranda Warnings per card and he stated that he understood them and wished to speak with me. I asked his about the crack within the box and he too initially denied any knowledge of it. Later, he changed his story and said that the drugs belonged to "a guy who used to live in the apartment". Everett admitted to knowledge and possession of the drags but said that he was only holding it (the box with crack cocains) for him and was planing on giving it back to him when he returned.

Everett was placed into custody for possession of crack cocaine and Howard was charged with pessession of cocaine, possession of Propoxyphene Mapsylate, and the active capais for DMA. They were taken to the District XII station and later transported to the BSO Main Jail. The crack cocaine and the Propoxyphene Napsylate tablet were placed into evidence and will be sent to the BSC Lab for confirmation

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Florida Gaming Control Commission

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

October 25, 2024

Ms. Shayla Meshon Howard 4221 West McNab Rd #37 Pompano Beach, Florida 33069

RE: Application No. 48195, Entity 8005337 1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Ms. Howard:

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

Application is incomplete: Please correct the highlighted section(s). It appears that you
have made errors and/or omissions on page 4 of the application. If you have ever been
convicted of or had adjudication withheld for any crime or pled guilty or nolo contendere
to any criminal charges, you must list the offenses in the Background Information section
and provide court disposition records. Please initial and date any changes made to your
application.

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

- Broward County, FL – 06/07/1996, 06/17/1996, 06/27/1997, 10/24/1998, 03/30/2004, 06/03/2004

You must provide the arrest reports and court disposition records for the following charges:

- Broward County, FL - 06/27/1997, 10/24/1998, 03/30/2004, 06/03/2004

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.

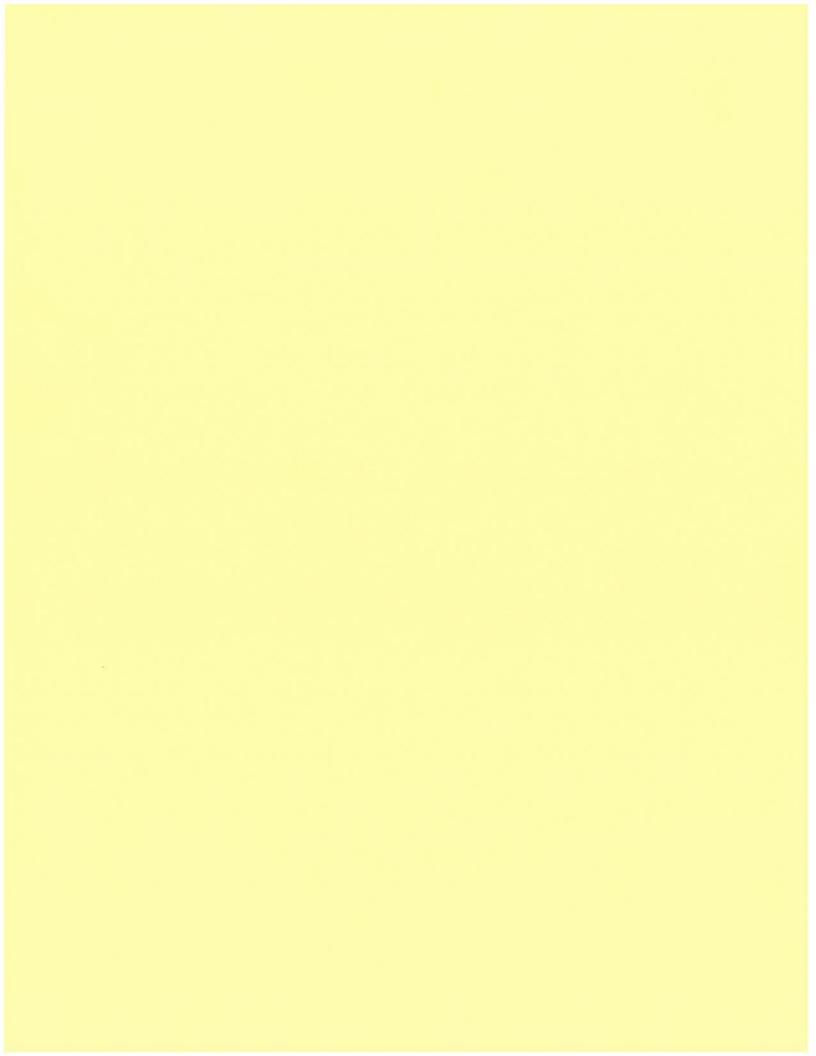
To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.794.8130.

Division of Pari-mutuel Wagering 4070 ESPLANADE WAY, SUITE 250 TALLAHASSEE, FL 32399 <u>FLGAMING.GOV</u> If you fail to provide the Florida Gaming Control Commission with a complete application by 10/25/2024, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

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 850.794.8130.

Thank you,

TL Operations Analyst II



MEMORANDUM

To:	The Florida Gaming Control Commission
From:	Division of Pari-Mutuel Wagering
Through:	Emily Alvarado; Chief Attorney
Re:	Robert Oneal Mitchell; Case No. 2024-071349
Date:	January 30, 2025

Executive Summary

The Division of Pari-Mutuel Wagering (the "Division") seeks to deny the application of Robert Oneal Mitchell (the "Applicant") for a slot machine/cardroom/pari-mutuel combination occupational license (the "Application"). The Applicant submitted a completed application for a slot machine/cardroom/pari-mutuel combination occupational license on December 11, 2024. Upon review of the Application, it appears Applicant has been convicted of one felony offense out of Miami-Dade County, Florida. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Letter of License Denial.

Pertinent Facts

On October 2, 2024, Respondent submitted an application for a slot machine/cardroom/pari-mutuel combination occupational license to the Division. The Applicant answered "no" to if he had been convicted of a disqualifying offense. On October 16, 2024, the Applicant was issued a deficiency letter by the Division requesting an updated application listing errors and omissions on page 4 of the application and that he provide arrest reports and court dispositions regarding an arrest in Miami-Dade County, Florida from September 7, 2016. The Applicant completed an updated application on December 11, 2024. Upon review of the completed Application, it appears that the Applicant was convicted of the following felony offense in Miami-Dade County, Florida from April 4, 2018:

Carrying a Concealed Weapon

This felony conviction is a disqualifying offense pursuant to sections 550.105(5)(b), 551.107(6)(a), and 849.086(6)(g), Florida Statutes. Furthermore, the Commission may deny an application if the applicant has falsely sworn, in a signed oath or affirmation, to a material statement, including, but not limited to, the criminal history of the applicant or licensee.

Relevant Law

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

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

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

"...the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense."

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.

Furthermore, section 16.717, Florida Statutes, provides:_

"[t]he commission may deny the application of, or suspend or revoke the license of, any person who submits an application for licensure upon which application the person has falsely sworn, in a signed oath or affirmation, to a material statement, including, but not limited to, the criminal history of the applicant or licensee. Additionally, the person is subject to any other penalties provided by law.

<u>Staff Recommendation</u>: Therefore, Florida Gaming Control Commission may deny the Application or declare the Applicant ineligible for a slot machine/cardroom/parimutuel combination occupational license upon a finding of a disqualifying offense pursuant to sections 550.105, 551.107, and 849.086(6)(g). Accordingly, the Division of Pari-Mutuel Wagering recommends that the Florida Gaming Control Commission authorize the issuance of a Letter of License Denial to Robert Oneal Mitchell in this matter.

MITCHELL, ROBERT ONEAL

Case # 2024071349

License Type: Slot Machine/Cardroom/Pari-Mutuel Individual Combination (1055) **Occupation:** Secutiry

Waiver Requested [] Yes [✓] No

90-Day Deadline is 03/11/2025

Division of Pari-Mutuel Wagering

Licensing Administrator Review of Occupational License

MITCHELL, ROBERT O	2024071349	
(Applicant's Name- L	Case No:	
INITIAL APPLICATIO	10/2/2024	
Application Deemed (12/11/2024	
If no Request for Waive	r received, 90-Day Deadline	3/11/2025
HC	MIAMI - 273	1055-Security
Application Processor	Facility (d/b/a name)	Occupation Code / 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.

	Lic	ensing Administrator Reviev	V	
		Conviction		
Did the applica	tion accurately reflect the C	Criminal History Record initially?]Yes 🛛 No
Was a deficien	cy letter issued to request	disclosure of criminal offense(s)?	×Ν	es 🗌 No
Felony(s):	Count(s)	Misdemeanor(s) - Industry Relat	ted / Gaml	oling Related / Bookmaking
Forgery, La	arceny Extortion, Conspirad	cy To Defraud (Cardroom Profess	ions Only)	
🔲 Animal Cru	elty (Pari-Mutuel Professo	ns)		
Comments:				
Arrest Date	Location	Charge	Level	Disposition (or Unknown)
9/7/2016	MIAMI-DADE, FL	Charge 1 - CCF BEF	F	ADJ WH
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R	Related Licenses
Check VR License Relations to Determine if	Applicant is Related to a Business.
Is the individual applicant related to a business?	Yes No If yes, complete sections below.
Business License Number:	Business Name:
Has a deficiency letter been issued to the busine	ess indicating all ODSs must be licensed? Yes 🗌 No 🗌
Date Deficiency Letter Issued:	Initials:
Comments:	
Licensin	g Administrator Review
Disp	osition Confirmation
Disqualifying Convictions/Arrests Confirmed?	Yes 📝 No 🗌 🗌 Approval
Forward to Investigations	Commission Initials: CH Date: 12/14/2024
Comments:	

Florida Gaming Control Commission Division of Pari-Mutuel Wagering FGCC PMW-3410 – Slot Machine Individual Occupational License Application

ų,

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

DEMOGRAPHIC	NFORMATION
Last Name	Gender Male D Female
Mtchell Rober	7 Middle Oneal Suffix
Have you used, been known as, or called by another name (example the name used on the application? I Yes V No If yes, list the name or names used:	e – maiden name, pseudonym, nickname) or alias other than
Race/Ethnicity (check only one): Black or African American White or Caucasian	 Native American or Alaskan Native Other
Are you a United States citizen? Yes I No If no, provide the name of the country of which you are a citizen:	
Current Mailing Address 2320 N. W. 62 St.	Empil Address (optional) DIGMICHOLOUPOMail. COM
City MIAMI FL 3314	optional) Country U.S.
(186) - 990 - 1917 [CT	ondary/Cell Phone Number (optional) 8(4) - 9999 - 3850
2320 N.W. 62 57	
Miami FL 3314	ptional) Country
Type of Slot Machine Occupational License applying for:	Is this your first time applying for a racing/gaming license in Florida? Yes D No
Slot Machine/Cardroom/PMW Combination	Facility where employed and/or doing business:
Job title(s) : <u>Security</u> OFFicer	Casino Miami Employer name:
*Applicants for a Combo license should disclose all job titles	Casino Miami
FOR DIVISION U License Code 1055 License # 14101350 Association Code 73 Date Received 10102124	ISE ONLY FIN # 1319 App # 47938
License Fee \$100.00 FP Date 10 02 24	Entered By <u>JR</u> License Year <u>24-27</u> FP Fee <u>10.00</u> Total Fee <u>100.00</u>
Waiver Requested Combo Only)	E Enforcement

FGCC PMW-3410, Effective September 2020, Rule 75-14.005, F.A.C.

	EMPLOYMENT HI	STORY (ATTA	CH ADDITIONAL PAG	ES AS NECESSARY)	
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Name of Employer	Address	Sta	rt Date (Month/ Year) ad Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving
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				PAGES AS NECESSARY	
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FGCC PMW-3410, Effective September 2020, Rule 75-14.005, F.A.C.

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Yes M No	Have you ever been larceny, extortion, o	n convicted of, or or conspiracy to de		withheld for, a felony or orts to government ager	misdemeanor involving forgery,
Yes No	criminal charges ag	ainst you? If yes	nad adjudication withheld , the court disposition red ails in the section provide	cords for all convictions	guilty or nolo contendere to any must be submitted with this
Date of Dispositi		State	Offense	Misdemeanor or Felony?	Sentence
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CM	applic	ation and you m	ust list the	e details in the section provi	ecords for all conviction: ded below.	s must be submitted with this
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PLEASE READ AND SIGN BELOW

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

I hereby authorize the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging the FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34.1 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 Florida Gaming Control Commission shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

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

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Florida Gaming Control Commission or the Florida Department of Law Enforcement.

I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119. Florida Statutes.

Print Legal Name (First Middle Last)

Social Security Number

Signature of Applicant

Birth Date (MM/DD/YYYY)

Casino Miami Name of Employer

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IN THE CIRCUIT AND COUNTY COURTS OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

IN AND FOR MIAMI-DADE COUNTY

I, JUAN FERNANDEZ-BARQUIN CLERK CIRCUIT AND COUNTY COURT OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR MIAMI-DADE COUNTY, DO HEREBY CERTIFY THAT A DILIGENT EXAMINATION OF THE FELONY, MISDEMEANOR AND NON CRIMINAL VIOLATION FILES AND RECORDS IN MY OFFICE REGARDING:

NAME: MITCHE	LL, ROBERT ONIEL	
DATE OF BIRT		
RACE: BLACK	SEX: MALE	
YEARS RESEAR		

INDICATES THE FOLLOWING:

CITATION/ ARREST /		
FILE DATE/		
CASE NUMBER ARST DEPT CHARGES	B DISPOSITIO	ON DISPO DATE
MITCHELL, ROBERT	AKA*	

F16018508B		CCF BEF 7/1/23		WH	ADJ - PROB	SP	CON 04/04/2018
		DRUG PARAPHERNA/POSN)	NO	ACTION		
	MIAMI DADE P	OLICE	•	NO	ACTION		10/25/2016

MITCHELL, F16018509	ROBERT AKA* 09/07/2016 CONCLD FA/CARRY/	
****	DRUG PARAPHERNA/ MIAMI DADE POLICE	POSN TRANSF TO OTHER CA 10/25/2016

FURSUANT TO FLORIDA RULES OF COURT, RULE 2.430, COURT RECORDS THAT ARE NOT PERMANENTLY RECORDED MAY BE UNAVAILABLE, OR DISPOSED OF BY THE CLERK, IN ACCORDANCE WITH THE APPLICABLE RETENTION SCHEDULE REQUIRED BY SAID RULE. (10 YEARS FOR FELONY, MISDEMEANOR AND CRIMINAL TRAFFIC VIOLATIONS IN WHICH THE DEFENDANT WAS ADJUDICATED NOT GUILTY). PLEASE SEE FLORIDA RULES OF COURT, RULE 2.430, FOR A COMPLETE LISTING OF RECORDS RETENTION REQUIREMENTS.

PAGE: 001



WITNESS MY HAND AND THE SEAL OF THE COURT AT MIAMI, MIAMI-DADE COUNTY, FLORIDA, THIS 11 DAY OF DECEMBER, 2024.

HANDE. JUAN FERNANDEZ-BARQUIN CLER CIRCUIT AND COUNTY COURTS IN AND FOR MIAMI-DADE COUNTY BY:

PAGE: 002

Deputy Diarbouidhe Classic Court of the Eleventh Judicial Circuit of Florida, in and for Dade County



Florida Gaming Control Commission

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

October 16, 2024

Mr. Robert Oneal Mitchell 2320 North West 62nd Street Miami, Florida 33147

RE: Application No. 48060, Entity 14161356 1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Mr. Mitchell:

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

Application is incomplete: Please correct the highlighted section(s). It appears that you
have made errors and/or omissions on page 4 of the application. If you have ever been
convicted of or had adjudication withheld for any crime or pled guilty or nolo contendere
to any criminal charges, you must list the offenses in the Background Information section
and provide court disposition records and arrest reports. Please initial and date any
changes made to your application.

You must list the information on your application and provide the court disposition records and arrest reports for the following charges:

- Miami-Dade County, FL Arrest(s) - 9/7/2016

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 850.794.8130.

If you fail to provide the Florida Gaming Control Commission with a complete application by 2/14/2025, your application shall lapse and no longer be processed by the Florida Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.

> Division of Pari-mutuel Wagering 4070 ESPLANADE WAY, SUITE 250 TALLAHASSEE, FL 32399 <u>FLGAMING.GOV</u>

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 850.794.8130.

Thank you,

HC Operations Analyst II

8. Executive Director update

10. Attorney-client session



