

**FILED**

Department of Business and Professional Regulation  
Deputy Agency Clerk

CLERK  
Brandon Nichols

Date  
7/28/2015

File #  
2015-06331

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

**DEPARTMENT OF BUSINESS &  
PROFESSIONAL REGULATION, DIVISION  
OF PARI-MUTUEL WAGERING,**

**Petitioner,**

**v.**

**LOUIS J. VALENTINE,**

**Respondent.**

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**DBPR CASE NO.: 2013-049540**

**FINAL ORDER**

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), hereby enters this Final Order against Louis J. Valentine (“Respondent”), in the above styled matter.

**FINDINGS OF FACT**

1. On February 3, 2015, Petitioner’s investigator, signed an Investigative Report setting forth facts which, if true, would constitute cause for exclusion of Respondent from pari-mutuel facilities in the state pursuant to Section 550.0251(6), Florida Statutes.
2. On April 2, 2015, an Administrative Complaint was filed with the agency clerk alleging Respondent was convicted of felony Robbery based on an incident that occurred at Washington County Kennel Club, a licensed pari-mutuel facility. According to the Administrative Complaint, Petitioner requested a Final Order excluding Respondent from all licensed pari-mutuel facilities in the state in accordance with Section 550.0251(6), Florida Statutes.

3. On April 17, 2015, Respondent was served with the Administrative Complaint, and accompanying Election of Rights Form via certified mail. To date, Petitioner has not received Respondent's Election of Rights Form, and therefore, Respondent has waived his right to elect a forum.

4. On June 15, 2015, a Motion for Final Order was filed with the agency clerk.

5. The Division hereby adopts and incorporates by reference the facts contained in the Administrative Complaint and those set forth in the Motion for Final Order, together with the supporting exhibits attached thereto and incorporated by reference, as the Division's Findings of Fact in this Matter.

#### CONCLUSIONS OF LAW

6. The Division has jurisdiction over the parties and subject matter of this case pursuant to Chapter 550, Florida Statutes.

7. According to section 550.0251(6), Florida Statutes, "...the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division..."

8. Additionally, section 550.105(5)(b), Florida Statutes, authorizes the division to "deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted of a capital felony, a felony, or an offense...or a crime involving a lack of good moral character..."

9. Under the facts of this case, although Respondent is not a licensee, section 550.0251(6), and 550.105(5)(b), Florida Statutes, provide authority for the division to enter an order excluding respondent from all pari-mutuel facilities in the state.

**ORDER**

Based on the foregoing Findings of Fact and Conclusion of Law, it is hereby ORDERED that Respondent be excluded from all pari-mutuel facilities in the state.

DONE AND ORDERED this 24<sup>th</sup> day of July, 2015, in Tallahassee, Florida.



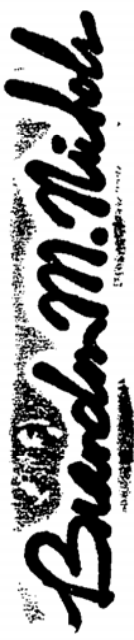
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**JONATHAN LACHEM, DIRECTOR**  
Division of Pari-Mutuel Wagering  
Department of Business & Professional Regulation  
1940 North Monroe Street  
Tallahassee, Florida 32399-1035  
(850) 488-9130

CERTIFICATE OF SERVICE

I hereby certify this 28<sup>th</sup> day of July, 2015 that a true copy of the foregoing "Final Order" has been provided by U.S. Mail to:

LOUIS J. VALENTINE  
601 Newman Point Road  
Panama City, Florida 32409

Brenda M. Nish

 AGENCY CLERK  
Department of Business & Professional Regulation

cc:  
Gauge Campbell, AAIL OGC/PMW  
Louis Trombetta, In-House Counsel

### **NOTICE OF RIGHT TO APPEAL**

Any party to this proceeding has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Agency Clerk, 1940 North Monroe Street, Tallahassee, Florida 32399-2202 (email: [ogcagencyclerk@myfloridalicense.com](mailto:ogcagencyclerk@myfloridalicense.com)), **and** by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate Florida district court of appeal. The notice of appeal must be filed (received) in the Office of the Agency Clerk within thirty (30) days after the date this Order is filed with the Clerk.

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

**DEPARTMENT OF BUSINESS &  
PROFESSIONAL REGULATION, DIVISION  
OF PARI-MUTUEL WAGERING,**

**DBPR CASE NO.: 2013049540**

**Petitioner,**

**v.**

**LOUIS J. VALENTINE,**

**Respondent.**

**MOTION FOR FINAL ORDER**

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), files this Motion For Final Order against Louis J. Valentine (“Respondent”), and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to Chapter 550, Florida Statutes.
2. On February 3, 2015, Petitioner’s Investigator, Tony McDowell, signed an Investigative Report setting forth facts which, if true, would constitute cause for exclusion of Respondent from pari-mutuel facilities in the state pursuant to Section 550.0251(6), Florida Statutes. A true copy of the Investigative Report is attached in part as Composite Exhibit A.
3. On April 2, 2015, an Administrative Complaint was filed with the agency clerk alleging Respondent was convicted of felony Robbery based on an incident that occurred at Washington County Kennel Club, a licensed pari-mutuel facility. According to the Administrative Complaint, Petitioner requested a Final Order excluding Respondent from all licensed pari-mutuel facilities in the state in accordance with Section 550.0251(6), Florida

Statutes. A true copy of the Administrative Complaint is hereby attached as Composite Exhibit


B.


4. On April 17, 2015, Respondent was served with the Administrative Complaint via certified mail. A true copy of the certificate of service is attached as Exhibit C.

5. Respondent's Election of Rights Form was due to Petitioner on or before May 8, 2015. To date, Petitioner has not received Respondent's Election of Rights Form and, therefore, Respondent has waived his right to elect a forum.

WHEREFORE, Petitioner respectfully requests that the Division of Pari-Mutuel Wagering issue a Final Order deeming all allegations of fact in the Administrative Complaint admitted and adopting them as the Department's Findings of Facts, adopting the violations enumerated in the Administrative Complaint as the Department's Conclusions of Law, and excluding Respondent from all pari-mutuel facilities in accordance with Section 550.0251(6), Florida Statutes.

Signed this 12 day of June, 2015.

  
**Louis Trombetta**  
In-house Counsel  
Florida Bar No. 018119

  
**Jason L. Maife**  
~~Chief Attorney~~  
Florida Bar No. 91833  
Division of Pari-Mutuel Wagering  
Department of Business and  
Professional Regulation  
1940 N. Monroe Street, Ste. 40  
Tallahassee, FL 32399-2202  
(850)488-0062 Telephone  
(850)921-1311 Facsimile

**CERTIFICATE OF SERVICE**

We hereby certify this 12 day of June, 2015, that a true copy of the foregoing

“Motion for Final Order” has been served by U.S. mail upon the following:

**Louis Joseph Valentine**  
601 Newnan Point Rd  
Panama City, FL 32409



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**Louis Trombetta**



Ken Lawson, Secretary

Rick Scott, Governor

**OFFICE OF INVESTIGATIONS  
INVESTIGATIVE REPORT**

Office: <b>P M W / NORTHERN</b>	Date of Complaint: <b>November 30, 2013</b>	Case Number: <b>2013 04 9540</b>
Respondent:  <b>VALENTINE, Louis J. 600 Barefoot Lane #610 Panama City Beach, Florida 32413  (850) 276-9498</b>	Complainant:  <b>DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION DIVISION OF PARI-MUTUEL WAGERING 1940 N MONROE ST, SUITE 50 TALLAHASSEE, FL 32399</b>  Investigator <b>Tony McDowell</b>	Report Date: <b>February 3, 2015</b>
Prefix: <b>1012</b>	License #: <b>N/A</b>	Board: <b>100</b>
Profession: <b>N/A</b>	Type of Report: <b>Final</b>	
Period of Investigation: <b>December 3, 2013 through February 3, 2015</b>		
<b>Alleged Violations: FL ST. 812.13 Robbery.</b> (1) "Robbery" means the taking of money or other property which may be the subject of larceny from the person or custody of another, with intent to either permanently or temporarily deprive the person or the owner of the money or other property, when in the course of the taking there is the use of force, violence, assault, or putting in fear.		
<b>Synopsis:</b> On December 3, 2013, at approximately 12:00 pm (EST), during a cardroom inspection, Dennis Hone the Cardroom Manager advised that a robbery had occurred at the facility. The robbery occurred on November 30, 2013 at approximately 2:50 am (CST) in the parking lot. The suspects and victim were not employees of the facility. The suspects and victim were patrons and had been in the cardroom participating in card games.		
The suspects Jeffrey Ewing and Louis Valentine were apprehended and charged with aggravated battery and robbery.		
Related Case: <b>2013049480</b>	Investigator Supervisor / Date	
Investigator / Date <i>Tony McDowell</i>	<i>C. Paul Roberts</i> Derek Washington / March 19, 2015	
Tony McDowell / February 3, 2015	Chief of Investigations / Date <i>Steven E. Kogan - March 20, 2015</i>	
Steven E. Kogan		

## CONTINUATION

## Investigative Activity:

On November 30, 2013, at approximately 2:50 am (CST) a robbery occurred at the **WASHINGTON COUNTY KENNEL CLUB (PMW #154)**. The victim Mr. John **McCAIG** advised Sheriff's Deputy Duran Harrison and Washington County Kennel Club Security Officer Steve Blankenship, he went outside to the parking lot to go home and noticed that his tires were flat. When he knelt down to look at the tire, he was hit on the head with an object and fell to the ground. He stated that two masked men began beating him with a metal baseball bat and one of the two men reached into his pockets and took approximately \$5,900 in cash, his cell phone, bank card and car keys.

Security Officer Blankenship and Deputy Harrison immediately went to the parking lot and found a vacant vehicle with its engine running and interior lights on. The victim Mr. **McCAIG** advised Deputy Harrison the suspects ran down the road into the dark. Deputy Harrison ran the license plate of the vacant vehicle and found that it belong to Louis **VALENTINE**. Security Officer Blankenship advised Deputy Harrison he knew Mr. **VALENTINE** and that he and Jeffrey **EWING** were in the poker room earlier playing poker. The victim Mr. **McCAIG** had marks on his body consistent with an elongated object as well as two lumps on his head and abrasions on his face. Three of the four tires on his vehicle were cut and flat.

Deputy Harrison called his office for assistance, which included K-9 units from correctional facilities in the area. After searching several miles for the suspects, Deputy Harrison received a phone call and was informed of two suspects were located at a convenience store near the poker room. Deputy Harrison interviewed the suspects Louis **VALENTINE** and Jeffrey **EWING** who denied robbing the victim. They stated they were standing near their vehicle when the victim began cussing them and accusing them of cutting his tires. They then began beating him and after realizing what they had done, ran off because they were afraid.

The law enforcement officials searched for the money and other items taken from the victim but at the time of this report, none of those items had been recovered. Louis **VALENTINE** had \$408 in his wallet and Jeffrey **EWING** had \$304 in his wallet. Louis **VALENTINE** and Jeffrey **EWING** were arrested and charged with robbery and aggravated battery with a deadly weapon. (Exhibit 1) Security Officer Steve Blankenship prepared an incident report. (Exhibit 2)

Due to the nature, location and severity of the allegations, an Open Case Request was prepared. (Exhibit 3)

EXHIBIT

A-2

DBPR INVESTIGATIVE REPORT

CASE NUMBER: 2013 04 9540

CONTINUATION

On January 22, 2015, the Washington County Fourteenth Circuit Court found Mr. **VALENTINE** guilty of felony Robbery No Firearm or Weapon and felony Battery. He was sentenced to two (2) years community control, ten (10) years' probation, and 150 hours of community service. (Exhibit 4)

Case Status: Investigations case closed, case is referred to Legal with the recommendation that Mr. Ewing be placed on the State Exclusion List.



**FILED**

Department of Business and Professional Regulation  
Deputy Agency Clerk

CLERK Evette Lawson-Proctor

Date 4/2/2015

File #

**STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS**

**DEPARTMENT OF BUSINESS &  
PROFESSIONAL REGULATION, DIVISION  
OF PARI-MUTUEL WAGERING,**

DBPR CASE NO.: 2013049540

Petitioner,

v.

**LOUIS J. VALENTINE,**

Respondent.

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**PETITIONER'S ADMINISTRATIVE COMPLAINT**

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (Petitioner), files this Administrative Complaint against Louis J. Valentine (Respondent), and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to Chapter 550, Florida Statutes.
2. Respondent's address is reported as 601 Newman Point Rd, Panama City, FL 32409.
3. On January 22, 2015, Respondent was convicted of felony Robbery No Firearm or Weapon and Felony Battery.
4. Respondent's January 22, 2015, convictions were the results of an incident that occurred at the Washington County Kennel Club on November 30, 2013.
5. The Washington County Kennel Club is a Florida licensed pari-mutuel facility.

EXHIBIT

B-1

3006

6. According to section 550.0251(6), Florida Statutes, "...the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division..."

7. Section 550.105(5)(b), Florida Statutes, authorized the division to "deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted...of a capital felony, a felony, or an offense...or a crime involving a lack of good moral character..."

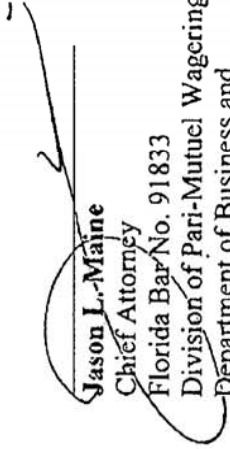
8. Although Respondent is not an occupational licensee, the Division may exclude him from all pari-mutuel facilities in the state based on Respondent's felony convictions.

WHEREFORE, Petitioner requests the Division enter an Order permanently excluding Respondent from all licensed pari-mutuel facilities in the state.

Signed this 2 day of April, 2015.



**Louis Trombetta**  
In-house Counsel  
Florida Bar No. 018119



**Jason L. Maine**  
Chief Attorney  
Florida Bar No. 91833  
Division of Pari-Mutuel Wagering  
Department of Business and  
Professional Regulation  
1940 N. Monroe Street, Ste. 40  
Tallahassee, FL 32399-2202  
(850)488-0062 Telephone  
(850)921-1311 Facsimile

EXHIBIT

B-2

BOOK

CERTIFICATE OF SERVICE

We hereby certify this 2<sup>nd</sup> day of April, 2015, that a true copy of the foregoing  
"Administrative Complaint" together with "Notice of Rights," has been served by certified U.S.  
mail upon the following:

Louis Joseph Valentine  
601 Newman Point Rd  
Panama City, FL 32409

  
\_\_\_\_\_  
Louis Trombetta



**NOTICE OF RIGHTS**

Please be advised that mediation under section 120.573, Florida Statutes, is not available for administrative disputes involving this type of agency action.

Please be advised that Respondent has the right to request a hearing to be conducted in accordance with Sections 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoenas and *subpoenas duces tecum* issued on his or her behalf if a hearing is requested. Any request for an administrative proceeding to challenge or contest the charges contained in the administrative complaint must conform to Rule 28-106.2015, Florida Administrative Code. Rule 28-106.111, Florida Administrative Code, provides in part that if Respondent fails to request a hearing within 21 days of receipt of an agency pleading, Respondent waives the right to request a hearing on the facts alleged.



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front, if space permits.</li> </ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent  <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Louis Valentine</u> C. Date of Delivery <u>07/16/01</u></p> <p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p><b>LOUIS VALENTINE</b>  <b>601 NEWMAN POINT RD</b>  <b>PANAMA CITY, FL</b>  <b>32409</b></p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>2. Article Number  <small>(transfer from service label)</small></p> <p>PS Form 3811, February 2004</p>	<p>7004 1350 0002 7397 6440</p> <p>Domestic Return Receipt</p> <p>102595-02-M-154</p>

