

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

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Tara Ashlock
Date	6/14/2017
File #	2017-04723

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

Petitioner,

DBPR Case No. 2016-005157

v.

ROBYN SHANTICE BONABY,

Respondent.

_____ /

FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Department” or “Division”), enters this Final Order against Robyn Shantice Bonaby (“Respondent”), and states as follows:

1. An Administrative Complaint was filed in the above styled case on March 20, 2017, alleging violation of certain provisions of Chapters 550 and 551, Florida Statutes.
2. A Notice of Action informing Respondent of the Division’s filing of an Administrative Complaint against Respondent was served via the Notice of Action published in the *Broward Daily Business Review* in Broward County, Florida, on April 21, 2017, April 28, 2017, May 5, 2017 and May 12, 2017.
3. The Notice of Action informed Respondent of instructions for how to receive a copy of the Administrative Complaint, including that contact would be required from Respondent within twenty-one (21) days written response to the Administrative

Complaint, or the matter would be submitted to the Director of the Division of Pari-Mutuel Wagering for final agency action.

4. Rule 28-106.111, Florida Administrative Code, provides that Respondent waives the right to a hearing on the complaint if Respondent fails to request a hearing in this matter.

5. Petitioner made all reasonable efforts to provide notice to Respondent. Proof of service by the Notice of Action and attempted service via certified mail is attached in said Motion for Waiver of Rights and Final Order as Exhibit "1A".

Upon consideration of the motion and the facts and conclusions of law in the Administrative Complaint, it is ordered:

1. The allegations of fact set for in the Administrative Complaint are approved, adopted and incorporated herein by reference as findings of fact by the Division.

2. The conclusions of law alleged and set forth in the Administrative Complaint are approved, adopted and incorporated herein by reference as the conclusions of law by the Division.

3. There is competent substantial evidence to support the findings of fact and conclusions of law by the Division.

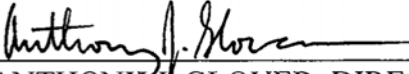
THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

1. Respondent's slot combo professional license, number 10956597-1055, is REVOKED.

2. Responded is PERMANENTLY EXCLUDED from all licensed slot machine and pari-mutuel facilities in this state.

3. This Final Order shall become effective on the date of filing with the Agency Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 12 day of June, 2017.



ANTHONY J. GLOVER, DIRECTOR
Division of Pari-Mutuel Wagering
Department of Business and
Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-2202

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing "Final Order" has been sent by regular United States Mail on this 14th day of June, 2017 to:

ROBYN SHANTICE BONABY
2338 Charleston Street, Apt. 3
Hollywood, Florida 33020



AGENCY CLERK'S OFFICE
Department of Business and
Professional Regulation

NOTICE OF RIGHT TO APPEAL

Unless expressly waived, any party substantially affected by this Final Order may seek judicial review by filing an original Notice of Appeal with the Agency Clerk of the Department of Business and Professional Regulation at 2601 Blair Stone Road, Mail Stop G2, Tallahassee, Florida 32399, (AGC.Filing@myfloridalicense.com), and a copy of the notice, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal within thirty days rendition of this Order, in accordance with Fla. App. P. 9.110, and section 120.68, Florida Statutes.

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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

Petitioner,

v.

Case No. 2016-005157

ROBYN SHANTICE BONABY,

Respondent.

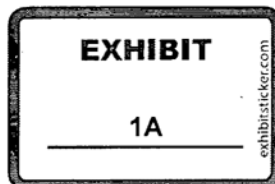
MOTION FOR WAIVER OF RIGHTS AND FINAL ORDER

The Department of Business and Professional Regulation, (“Petitioner”), moves the Division of Pari-Mutuel Wagering (“Division”) for a finding of Waiver of Rights by Robyn Shantice Bonaby (“Respondent”) and entry of a Final Order. In support thereof, Petitioner states the following:

1. An Administrative Complaint was filed in this case on March 20, 2017, alleging violations of certain provisions of Chapter 551, Florida Statutes. A copy of the Administrative Complaint is attached as Exhibit “A” and incorporated by reference.

2. Service of said Administrative Complaint, Election of Rights form, Explanation of Rights, and a cover letter was attempted via certified mail on Respondent. Proof of attempted service is attached hereto as Exhibit “B” and incorporated by reference.

3. A Notice of Action was published in the *Broward Daily Business Review* in Broward County, Florida on April 21, 2017, April 28, 2017, May 5, 2017, and May 12, 2017. A copy of the Notice of Action indicating publication is attached as Exhibit “C” and incorporated by reference.



4. Respondent's response to the Administrative Complaint was due within twenty-one (21) days of publication of said Administrative Complaint. Within the aforementioned, Respondent was informed further that failure to respond to the Administrative Complaint would result in a waiver of Respondent's right to a hearing in this matter.

5. Respondent's response to the Administrative Complaint was due on or before May 12, 2017. To date, Respondent has not filed an Election of Rights form or otherwise established a disputed issue of material fact in response to the Administrative Complaint filed and served in this action. Pursuant to Rule 28-106.111, Florida Administrative Code, if Respondent fails to request a hearing within twenty-one (21) days of receipt of an agency pleading via publication, Respondent shall have waived her right to request a hearing of the facts alleged.

6. By failing to file a response within twenty-one (21) days of receipt of the Administrative Complaint, Respondent has waived the right to request a hearing in which there is a disputed issue of material fact. Therefore, Petitioner submits this matter for final action by the Division of Pari-Mutuel Wagering pursuant to Section 120.57(2), Florida Statutes.

7. Respondent has been advised by copy of this Motion that a copy of the Department of Business and Professional Regulation's investigative file regarding the violations alleged in the Administrative Complaint shall be furnished to the Division in support of this motion.

WHEREFORE, Petitioner respectfully moves the Division of Pari-Mutuel Wagering to find Respondent waived her rights and enter a Final Order finding that Respondent has violated the provisions of Chapter 551, Florida Statutes, alleged in the Administrative Complaint, and impose an administrative fine and demand any other relief the Division deems appropriate.

Respectfully submitted this 17th day of May, 2017.

/s/ Louis Trombetta

LOUIS TROMBETTA
Chief Attorney
Florida Bar No. 108119
Department of Business and
Professional Regulation
Office of the General Counsel
2601 Blair Stone Road
Mail Stop N21
Tallahassee, FL 32399-2202
(850) 717-1768 Telephone
(850) 921-1311 Facsimile

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Waiver of Rights and Final Order was sent via U.S. Mail to: Robyn Shantice Bonaby at 2338 Charleston Street, Apt. 3, Hollywood, Florida 33020 on this 17th day of May, 2017.

/s/ Louis Trombetta

LOUIS TROMBETTA
Chief Attorney

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Evette Lawson-Proctor
Date	3/20/2017
File #	

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

Petitioner,

DBPR CASE NO. 2016-005157

v.

ROBYN SHANTICE BONABY,

Respondent.

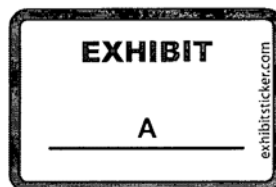
ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner” or “Division”), hereby files this Administrative Complaint against ROBYN SHANTICE BONABY (“Respondent”), and alleges as follows:

1. The Division is the state agency charged with regulating slot machine gaming and pari-mutuel wagering pursuant to Chapters 550 and 551, Florida Statutes.
2. At all times material hereto, Respondent held a slot combo professional license 10956597-1055 issued by the Petitioner.
3. At all times material hereto, Respondent worked as a cashier at the Dania Entertainment Center, LLC.
4. Dania Entertainment Center, LLC is a facility operated by a permitholder authorized to conduct pari-mutuel wagering and is a licensed slot machine facility in this state under Chapters 550 and 551, Florida Statutes.

Count I

5. Petitioner hereby re-alleges and incorporates the allegations contained within paragraphs one through four, as though fully set forth herein.



6. On or about January 25, 2016, Respondent stole cash from her cash drawer and concealed the stolen funds in her tip box.

7. Section 551.109(3), Florida Statutes, provides “Any person who knowingly excludes, or takes any action in an attempt to exclude, anything of value from the deposit, counting, collection, or computation of revenues from slot machine activity, or any person who by trick, sleight-of-hand performance, a fraud or fraudulent scheme, or device wins or attempts to win, for himself or herself or for another, money or property or a combination thereof or reduces or attempts to reduce a losing wager in connection with slot machine gaming commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.”

8. Based on the foregoing, Respondent violated Section 550.0251(6), Florida Statutes, provides in relevant part, by engaging in a practice that would constitute a fraud or deceit in connection with slot machine gaming.

Count II

9. Petitioner hereby re-alleges and incorporates the allegations contained within paragraphs one through four, as though fully set forth herein.

10. On or about January 25, 2016, Respondent was given a one year exclusion from Dania Entertainment Center, LLC.

11. Section 551.112, Florida Statutes, provides in relevant part:... The division may exclude from any facility of a slot machine licensee any person who has been ejected from a slot machine licensee in this state

12. Section 550.0251(6), Florida Statutes, similarly provides in relevant part:... The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state

13. Based on the foregoing, Respondent is subject to exclusion by the Division because he was ejected from a licensed slot machine and pari-mutuel facility in Florida.

WHEREFORE, Petitioner respectfully requests the Division enter an Order against the Respondent imposing one or more of the penalties as permissible under Chapters 550 and 551 Florida Statutes, and the rules promulgated thereunder and permanently excluding the Respondent from all licensed slot machine and pari-mutuel facilities in the State of Florida.

Signed on this 17th day of March, 2017.

MATILDE MILLER, Interim Secretary
Department of Business and
Professional Regulation

/s/ William Hall

William D. Hall
Chief Attorney
Florida Bar No. 67936
Office of the General Counsel
Division of Pari-Mutuel Wagering
Department of Business and
Professional Regulation
2601 Blair Stone Road, 5th Floor
Tallahassee, Florida 32399-2202

WDH/sm

NOTICE OF RIGHTS

Please be advised that within twenty-one (21) days of your receipt of this administrative complaint you have the right to request an administrative hearing. Any such hearing would be conducted in accordance with the provisions of Sections 120.569 and 120.57, Florida Statutes, and you would have the right to be represented by counsel or other qualified representative, to call and examine witnesses, and to have subpoenas issued on your behalf. However, if you do not file (i.e., we do not receive) your request for hearing within the twenty-one (21) days, you will have waived your right to any hearing.

Please also be advised that mediation is not available in this matter.

7006 2150 0005 6843 0357

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information, visit our website at www.usps.com

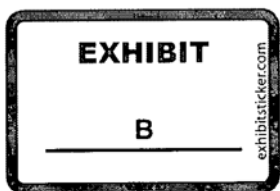
OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

*Mailed
3/20/17*

To
 Recipient
 2338 Charleston Street, Apt. 3
 Hollywood, Florida 33020
 AC 2016-005157 PMW

PS Form 3800, August 2006 See reverse for instructions



USPS Tracking® Results

FAQs > (<http://faq.usps.com/?articleId=220900>)

Track Another Package +

Remove X

Tracking Number: 70062150000568430357



Alert

Your item was refused by the addressee at 2:04 pm on March 27, 2017 in HOLLYWOOD, FL 33020 and is being returned to the sender.

Product & Tracking Information

[See Available Actions](#)

Postal Product:

Features:

Certified Mail™

DATE & TIME

STATUS OF ITEM

LOCATION

March 27, 2017, 2:04 pm

Refused

HOLLYWOOD, FL 33020



Your item was refused by the addressee at 2:04 pm on March 27, 2017 in HOLLYWOOD, FL 33020 and is being returned to the sender.

March 27, 2017, 9:19 am

In Transit to Destination

March 26, 2017, 2:19 am

Departed USPS Facility

OPA LOCKA, FL 33054

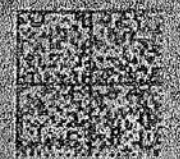


STATE OF FLORIDA
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
 2601 Blair Stone Road
 Tallahassee, Florida 32399
 www.MyFloridaLicense.com

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOR D.A. DOTTED LINE
CERTIFIED MAIL™



7006 2150 0005 6443 0357



U.S. POSTAGE & METS
 ZIP 32399 \$ 007.29
 02 48
 0000347984 MAR 20 2017

**EXHIBIT
 B**

RECEIVED

Robyn Shantice Bonaby
 2338 Charleston Street, Apt. 3
 Hollywood, Florida 33020
 AC 2016-005157 PMW

NIXTE 330201544-1N 04/30/17
 RETURN TO SENDER
 REFUSED
 UNABLE TO FORWARD
 RETURN TO SENDER

2017 MAR 14 PM 1:58

BROWARD DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Ft. Lauderdale, Broward County, Florida

STATE OF FLORIDA COUNTY
OF BROWARD:

Before the undersigned authority personally appeared GUERLINE WILLIAMS, who on oath says that he or she is the LEGAL CLERK, of the Broward Daily Business Review f/k/a Broward Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Fort Lauderdale, in Broward County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

2016-005157

NOTICE OF ACTION

BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - IN RE:
THE PRACTICE OF PARI-MUTUEL SLOT OPERATIONS ROBYN
SHANTICE BONABY 2338 CHARLES ST APT 3
HOLLYWOOD, FL 33020

in the XXXX Court,
was published in said newspaper in the issues of

04/21/2017 04/28/2017 05/05/2017 05/12/2017

Affiant further says that the said Broward Daily Business Review is a newspaper published at Fort Lauderdale, in said Broward County, Florida and that the said newspaper has heretofore been continuously published in said Broward County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Fort Lauderdale in said Broward County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this
12 day of MAY, A.D. 2017

(SEAL)

GUERLINE WILLIAMS personally known to me



**NOTICE OF ACTION
BEFORE THE DIVISION OF
PARI-MUTUEL WAGERING**
IN RE: The practice of pari-mutuel slot
operations
Robyn Shantice Bonaby
2338 Charles Street
Apartment 3
Hollywood, FL 33020
CASE NO.: 2016-005157
LICENSE NO.: 10956597-1055
The Department of Business and
Professional Regulation has filed an
Administrative Complaint against you,
a copy of which may be obtained by
contacting Gauge Campbell, Office
of the General Counsel, Department of
Business and Professional Regulation,
260 Blair Stone Road, Tallahassee,
FL 32399-2202, (850) 717-1768.
If no contact has been made by you
concerning the above by May 14,
2017, the matter of the Administrative
Complaint will be presented to the
Director of the Division of Pari-Mutuel
Wagering for final agency action.
In accordance with the Americans
with Disabilities Act, persons needing
a special accommodation to participate
in this proceeding should contact
the individual or agency sending notice
not later than seven days prior to
the proceeding at the address given
on notice. Telephone: (850) 257-6097,
1-800-955-8771 (TDD) or 1-800-955-8770
(v) via Florida Relay Service.
4/21-28/5/5-12 17-12/0000217230B

EXHIBIT

C