

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.

Case Nos. 2017-059412
2018-000479
2018-033810

SILVIO ALFREDO SANCHEZ-VELIZ,

Respondent.

FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (hereinafter "Petitioner"), issues this Final Order against Silvio Alfredo Sanchez-Veliz (hereinafter "Respondent") as follows:

1. An Administrative Complaint was filed in these cases on August 16, 2018, alleging that Respondent violated certain provisions of Chapter 550, Florida Statutes. A copy of the Administrative Complaint is attached hereto as Exhibit "1".

2. The Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter were served on Respondent via certified mail on April 1, 2019. Proof of service is attached hereto as Exhibit "2".

3. The Election of Rights form, Explanation of Rights, and cover letter informed Respondent that a written response to the Administrative Complaint, including the right to request a hearing, was due within 21 days of actual service of the Administrative Complaint. See section 120.569(1), Florida Statutes, and rule 28-106.111, Florida Administrative Code.

4. Petitioner made all reasonable efforts to provide actual notice to Respondent.

5. Petitioner informed Respondent that the failure to file a timely response to the Administrative Complaint shall be deemed a waiver of the right to a hearing.

6. Respondent has not filed a timely response to the Administrative Complaint. Respondent has not submitted any evidence or made any allegations that would support the application of the doctrine of equitable tolling.

Having considered the Administrative Complaint, the evidence of Petitioner's reasonable attempts to provide actual notice to Respondent, and being otherwise fully advised in the premises, it is hereby

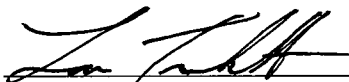
ORDERED and ADJUDGED:

7. The allegations of fact and the conclusions of law in the Administrative Complaint are adopted in their entirety herein.

8. Respondent is PERMANENTLY EXCLUDED from all pari-mutuel facilities in the state of Florida.

9. This Final Order is effective on the date it is filed with the Agency Clerk of the Department of Business and Professional Regulation as indicated on the first page of this Final Order.

DONE and ORDERED this 24 day of April, 2019.



LOUIS TROMBETTA, DIRECTOR

Division of Pari-Mutuel Wagering
Department of Business and
Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-1035
Telephone: (850) 488-9130

NOTICE OF RIGHT TO APPEAL

Any party to this proceeding has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Agency Clerk, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202 (Email: AGC.Filing@myfloridalicense.com), and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate Florida district court of appeal. The notice of appeal must be filed (received) in the Office of the Agency Clerk within thirty (30) days after the date this Order is filed with the Clerk.

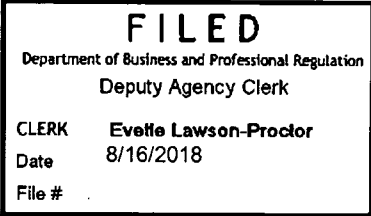
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this Final Order on Waiver was furnished by U.S. Mail on 29th day of April, 2019 to:

Silvio Alfredo Sanchez-Veliz
1275 West 16th Place, Apt. 18
Hialeah, Florida 33010



AGENCY CLERK'S OFFICE



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

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

Petitioner,

DBPR Case Nos. 2017-059412
2018-033810, 2018-000479

SILVIO ALFREDO SANCHEZ-VELIZ,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”) files this Administrative Complaint against Silvio Alfredo Sanchez-Veliz (“Respondent”) and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to Chapter 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent has not held a valid pari-mutuel wagering license with the Division.
3. Respondent’s last known address is 1275 W. 26th Place, #5, Hialeah, Florida 33012.
4. Section 550.0251(6), Florida Statutes, provides in relevant part that:

“[i]n addition to the power to exclude certain persons from any pari-mutuel facility in the state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in

another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.”

COUNT I
(DBPR Case No. 2017-059412)

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

6. Hialeah Park is a licensed pari-mutuel facility and cardroom in the state of Florida.

7. On October 25, 2017, Respondent was observed attempting to manipulate a roulette wheel slot machine at Hialeah Park.

8. On December 1, 2018, Respondent was again observed attempting to manipulate a roulette wheel slot machine at Hialeah Park. On that date, Respondent was apprehended by Hialeah Park security and issued a permanent exclusion from Hialeah Park.

9. Based on the foregoing, Respondent is subject to exclusion from all pari-mutuel wagering facilities in the state of Florida by virtue of Respondent’s permanent exclusion from Hialeah Park on December 1, 2017.

COUNT II
(DBPR Case No. 2018-033810)

10. Petitioner realleges and incorporates paragraphs one through four as if fully set forth herein.

11. Casino Miami Jai Alai is a licensed pari-mutuel facility and cardroom in the state of Florida.

12. On June 10, 2017, Respondent, a patron at Casino Miami Jai Alai, was observed attempting to manipulate a roulette wheel slot machine at Casino Miami Jai Alai.

13. On June 13, 2017, Respondent was permanently excluded from Casino Miami Jai Alai.

14. Based on the foregoing, Respondent is subject to exclusion from all pari-mutuel wagering facilities in the state of Florida by virtue of Respondent's permanent exclusion from Casino Miami Jai Alai on June 13, 2017.

COUNT III
(DBPR Case No. 2018-000479)

15. Petitioner realleges and incorporates paragraphs one through four as if fully set forth herein.

16. Calder Race Course ("Calder") is a licensed pari-mutuel facility and cardroom in the state of Florida.

17. Respondent, a patron at Calder, was observed attempting to manipulate Calder's roulette wheel slot machines on the following dates:

- a. December 4, 2017
- b. December 5, 2017
- c. December 12, 2017, and
- d. December 19, 2017

18. On January 10, 2018, Respondent was issued permanent lifetime exclusion by Calder.

19. Based on the foregoing, Respondent is subject to exclusion from all pari-mutuel wagering facilities in the state of Florida by virtue of Respondent's permanent exclusion from Calder on January 10, 2018.

WHEREFORE, Petitioner respectfully requests the Division enter an Order permanently excluding Respondent from all licensed pari-mutuel facilities in the state of Florida. Signed this 13th day of August, 2018.

/s/ Charles Dewrell

CHARLES DEWRELL

Deputy Chief Attorney

Florida Bar No. 0102579

Charles.Dewrell@MyFloridaLicense.com

/s/ Louis Trombetta

LOUIS TROMBETTA

Chief Attorney

Florida Bar No. 108119

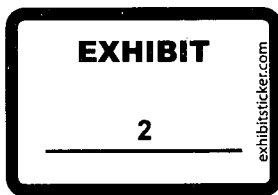
Louis.Trombetta@MyFloridaLicense.com

Office of the General Counsel
Division of Pari-Mutuel Wagering
Department of Business and Professional Regulation
2601 Blair Stone Road, Mail Stop N21
Tallahassee, Florida 32399-2202
Telephone: (850)-717-1585
Facsimile: (850) 921-1311

NOTICE OF RIGHT TO REQUEST A HEARING

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"> ■ Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>
<p>1. Article Addressed to:</p> <p>Silvio Sanchez Veliz 1275 W. 26th Pl, Apt. 18 Hialeah, FL 33010</p>	<p>B. Received by (Printed Name) C. Date of Delivery</p>
	<p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7017 2620 0000 3310 8729</p>	
<p>PS Form 3811, February 2004</p>	<p>Domestic Return Receipt 102595-02-M-1540</p>



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