

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.: 2018-047336

ALEXANDER CENTENO,

Respondent.

\_\_\_\_\_ /

FINAL ORDER

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

1. An Administrative Complaint was filed in this case on November 5, 2018, alleging that Respondent is subject to discipline under the provisions of sections 551.109(3), 551.112, and 550.0251(6), Florida Statutes (“Administrative Complaint”). A true and correct copy of the Administrative Complaint is attached hereto as Exhibit “1” and incorporated by reference.

2. Service of the Administrative Complaint was attempted via certified mail on Respondent. Proof of attempted service via certified mail is attached hereto as Exhibit “2” and incorporated by reference.

3. Notice of this matter was served upon Respondent on April 19, 2019, April 26, 2019, May 3, 2019, and May 10, 2019, via publication in the *Miami Daily Business Review* a publication in general circulation within Miami-Dade County, Florida (“Notice of Action”). A

true and correct copy of the Notice of Action is attached hereto as Exhibit “3” and incorporated by reference.

4. The Notice of Action Election informed Respondent that Petitioner filed an Administrative Complaint against them, provided instructions on how to receive a copy of the Administrative Complaint, and that contact would be required to dispute the allegations within the Administrative Complaint. See § 120.569(1), Fla. Stat. and Fla. Admin. Code R. 28-106.111.

5. In addition, the Notice of Action informed Respondent that the failure to timely file a response to the Administrative Complaint would be deemed a waiver of right to a hearing or resolution in this matter.

6. To date, Respondent has not submitted an Election of Rights form or otherwise provided a response to the Administrative Complaint filed and served in this action.

Upon consideration of the facts and conclusions of law delineated in the Administrative Complaint, it is ORDERED:

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

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

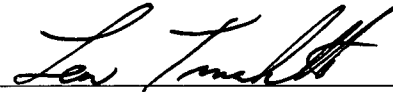
9. There is competent substantial evidence to support the findings of fact and conclusions of law by the Division.

WHEREFORE, it is hereby ORDERED and ADJUDGED:

10. Respondent is hereby **PERMANENTLY EXCLUDED** from all licensed pari-mutuel facilities located within the State of Florida.

11. This Final Order shall become effective upon its date of filing with the Agency Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 24 day of May, 2019.



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**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 that a true and correct copy of the foregoing "Final Order" has been sent by regular U.S. mail on this 29<sup>th</sup> day of May, 2019 to:

**Alexander Centeno**  
19131 N.W. 5<sup>th</sup> Place  
Miami, Florida 33169

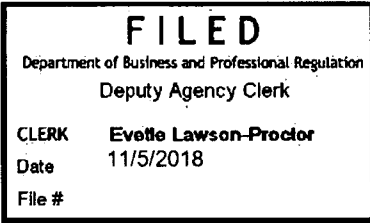
*Brandon M. Nichols*

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**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, 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  
DIVISION OF PARI-MUTUEL WAGERING

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

Petitioner,

vs.

DBPR Case No. 2018-047336

ALEXANDER CENTENO,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Alexander Centeno ("Respondent") and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and section 849.086, Florida Statutes.
2. At all times material hereto, Respondent was a patron of Calder Casino.
3. At all times material hereto, Calder Casino was facility operated by a permitholder authorized to conduct pari-mutuel wagering and operate slot machines in the State of Florida.
4. On or about December 19, 2017, Respondent conspired with, solicited, aided, abetted, counseled, hired, or procured another person to knowingly exclude, or take any action in



an attempt to exclude, anything of value from the deposit, counting, collection, or computation of revenues from slot machine activity.

5. On or about January 10, 2018, Respondent was ejected and permanently excluded from Calder Casino.

#### COUNT I

6. Petitioner realleges and incorporates the allegations contained within paragraphs one through five as though fully set forth herein.

7. Section 551.109(3), Florida Statutes (2017), imposes criminal liability on an individual for tampering with a slot machine, providing:

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. Rule 61D-14.090, Florida Administrative Code (2017), provides “[n]o person shall conspire with, solicit, aid, abet, counsel, hire, or procure any other persons to engage in a violation of Chapter 551, F.S., or Chapter 61D-14, F.A.C., nor shall he or she commit any such act on his or her own.”

9. Based on the foregoing, Respondent violated rule 61D-14.090, Florida Administrative Code, by conspiring with, soliciting, aiding, abetting, counseling, hiring, or procuring any person to engage in a violation of section 551.109(3), Florida Statutes, or by committing such an act on his own at Calder Casino on or about December 19, 2017.

## COUNT II

10. Petitioner realleges and incorporates the allegations contained within paragraphs one through five as though fully set forth herein.

11. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the division may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

12. Based on the foregoing, Respondent is subject to permanent exclusion from all licensed slot machine facilities in the State of Florida based on his ejection from Calder Casino on January 10, 2018.

## COUNT III

13. Petitioner realleges and incorporates the allegations contained within paragraphs one through five as though fully set forth herein.

14. Section 550.0251(6), Florida States, provides in relevant part:

In 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.

(Emphasis supplied).

15. Based on the foregoing, Respondent is subject to permanent exclusion from all licensed pari-mutuel facilities in the State of Florida based on his permanent exclusion from Calder Casino on January 10, 2018.

WHEREFORE, Petitioner respectfully requests the Division enter an Order permanently excluding Respondent from all licensed pari-mutuel and slot machine facilities in the State of Florida along with any other remedy provided by chapters 550, 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case No. 2018-047336 is signed this 2<sup>nd</sup> day of November 2018.

/s/ James A. Lewis

**JAMES A. LEWIS**  
Assistant General Counsel  
Florida Bar No. 1002349  
James.Lewis@MyFloridaLicense.com

/s/ Louis Trombetta

**LOUIS TROMBETTA**  
Chief Attorney  
Florida Bar No. 0108119  
Louis.Trombetta@MyFloridaLicense.com

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



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(4), 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.

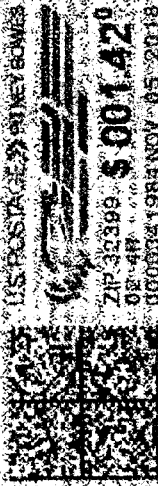
JVA



STATE OF FLORIDA  
**DEPARTMENT OF BUSINESS AND PROFESSION**  
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 Tallahassee, Florida 32399  
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 19131 N.W. 5<sup>th</sup> Place  
 Miami, Florida 33169  
 2018-047336 PMW

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 RETURN TO SENDER  
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UNABLE TO FORWARD FOR REVIEW  
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 KR006

**EXHIBIT**  
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Street, Apt. or PO Box	19131 N.W. 5 <sup>th</sup> Place
City, State	Miami, Florida 33169
	2018-047336 PMW

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<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage \$ \_\_\_\_\_

1/23/19

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Total Postage \$ \_\_\_\_\_

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Street and Ap. \_\_\_\_\_

City, State, Z. \_\_\_\_\_

Alexander Centeno  
19131 NW 5th Place  
Miami, Florida 33169  
2018-047336 PMW

**MIAMI DAILY BUSINESS REVIEW**

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

2018-047336  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING -  
ALEXANDER CENTENO

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

04/19/2019 04/26/2019 05/03/2019 05/10/2019

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade 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.

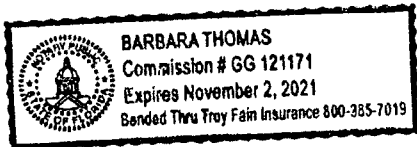
*Guillermo Garcia*

Sworn to and subscribed before me this  
10 day of MAY, A.D. 2019

*Barbara Thomas*

(SEAL)

GUILLERMO GARCIA personally known to me



**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**  
IN RE: Exclusion from all Florida  
Pari-Mutuel Wagering Facilities  
**ALEXANDER CENTENO**  
19131 N.W. 5th Place  
Miami, Florida 33169  
CASE NO.: 2018-047336  
LICENSE NO.: UNLICENSED  
The Department of Business and  
Professional Regulation has filed an  
Administrative Complaint against you,  
a copy of which may be obtained by  
contacting Deborah A. Matthews,  
Administrative Assistant II, Department  
of Business and Professional Regulation,  
Division of Pari-Mutuel Wagering,  
2601 Blair Stone Road, Tallahassee,  
Florida 32399-2202; (850) 717-1585.  
If no contact has been made by  
you concerning the above by May 17,  
2019, 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  
4/19/2019 5/3/19 19-01/0000392839M