

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.: 2018-053169

TYREE SMITH,

Respondent.

\_\_\_\_\_ /

**FINAL ORDER**

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

1. An Administrative Complaint was filed in this case on April 3, 2019, alleging that Respondent is subject to discipline under the provisions of section 551.0251(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 on April 4, 2019 and June 11, 2019. 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 August 2, 2019, August 9, 2019, August 16, 2019, and August 23, 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 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 **PERMANENTLY EXCLUDED** from all licensed pari-mutuel facilities in 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 8 day of October, 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

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.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing "Final Order" has been sent by U.S. mail on this 14<sup>th</sup> day of October, 2019 to:

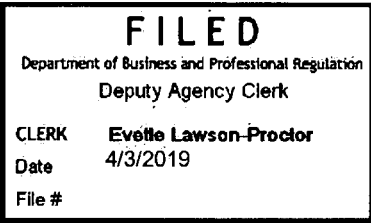
**Tyree Smith**  
2051 N.W. 64<sup>th</sup> Street  
Miami, Florida 33147

**Tyree Smith**  
2020 N.W. 65<sup>th</sup> Street  
Miami, Florida 33147

*Brandon M. Nichols*

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**AGENCY CLERK'S OFFICE**  
Department of Business and Professional Regulation



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 No. 2018-053169

v.

TYREE SMITH,

Respondent.

**ADMINISTRATIVE COMPLAINT**

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

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and slot machine gaming pursuant to chapter 550 and 551, Florida Statutes.
2. Fronton Holdings, LLC d/b/a Casino Miami Jai-Alai (“Casino Miami Jai-Alai”) is a facility operated by a permitholder authorized to conduct pari-mutuel wagering and slot machine gaming in this state under chapters 550 and 551, Florida Statutes.
3. On or about August 3, 2018, Respondent was ejected from Casino Miami Jai-Alai.
4. Section 550.0251(6), Florida Statutes, 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 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.



5. Based on the foregoing Respondent is subject to permanent exclusion from all licensed pari-mutuel facilities in the state of Florida based on his ejection from Casino Miami Jai-Alai on or about August 3, 2018.

WHEREFORE, Petitioner respectfully requests the Division enter an Order permanently excluding Respondent from all licensed pari-mutuel facilities in the state of Florida together with any other relief permitted by chapters 550 and/or 551, Florida Statutes, and/or the rules promulgated thereto.

This Administrative Complaint in DBPR Case Number 2018-053169 is signed this 1<sup>st</sup> day of April, 2019.

/s/ James A. Lewis  
**JAMES A. LEWIS**  
Assistant General Counsel  
Florida Bar No. 1002349  
[James.Lewis@MyFloridaLicense.com](mailto:James.Lewis@MyFloridaLicense.com)

/s/ Megan S. Silver  
**MEGAN S. SILVER**  
Deputy Chief Attorney  
Florida Bar No. 115518  
[Megan.Silver@MyFloridaLicense.com](mailto:Megan.Silver@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 RIGHT TO REQUEST A HEARING

Pursuant to Section 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.

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**U.S. Postal Service®**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

Date of Receipt: \_\_\_\_\_

Postage: \_\_\_\_\_

Registration Fee: \_\_\_\_\_

Insurance: \_\_\_\_\_

Signature of Addressee: \_\_\_\_\_

Signature of Recipient: \_\_\_\_\_

Signature of Mail Carrier: \_\_\_\_\_

4/4/19

**Tyree Smith**  
 2020 N.W. 65<sup>th</sup> Street  
 Miami, Florida 33147  
 2018-053169 PMW

PS Form 3800, April 2016 PSN 7530-02-000-9017 See Reverse for Instructions

7017 2620 0000 3310 9337

**U.S. Postal Service®**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

Date of Receipt: \_\_\_\_\_

Postage: \_\_\_\_\_

Registration Fee: \_\_\_\_\_

Insurance: \_\_\_\_\_

Signature of Addressee: \_\_\_\_\_

Signature of Recipient: \_\_\_\_\_

Signature of Mail Carrier: \_\_\_\_\_

6/11/19

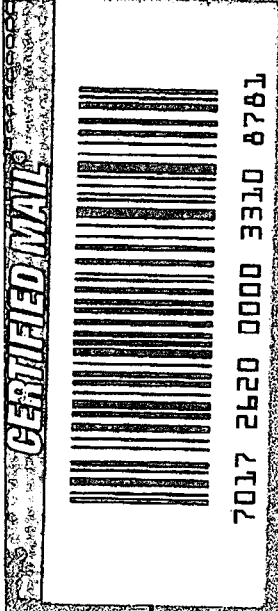
**Tyree Smith**  
 2051 N.W. 64th Street  
 Miami, Florida 33147  
 2018-053169 PMW

PS Form 3800, April 2016 PSN 7530-02-000-9017 See Reverse for Instructions





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



19

RECEIVED  
 JUN 13 2019  
 Office of the General Counsel  
 First Mutual Washington

Tyree Smith  
 2020 N.W. 65<sup>th</sup> Street  
 Miami, Florida 33147  
 2018-053169 PMW

SMIT030 33147557-1N 05/02/19  
 -R-T-6- 331475022-1N 06/07/19  
 RETURN TO SENDER  
 INSUFFICIENT ADDRESS  
 UNABLE TO FORWARD  
 RETURN TO SENDER



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

PERMITTED MAIL



7017 2620 0000 3310 9337

Tyree Smith  
 2051 N.W. 64th Street  
 Miami, Florida 33147  
 2018-053169 PMW

*P.M.W.*

NIXIE 326 CS 1 7267/86/19

RETURN TO SENDER  
 INSUFFICIENT ADDRESS

UNITED STATES POSTAL SERVICE

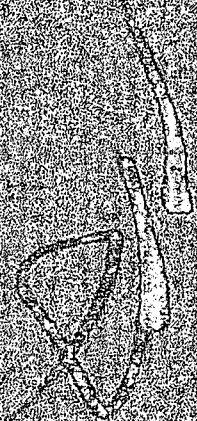
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RETURN TO SENDER  
INSUFFICIENT ADDRESS  
UNABLE TO FORWARD

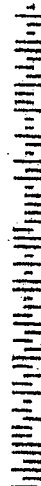
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Tyree Smith  
2051 N.W. 64th Street  
Miami, Florida 33147  
2018-053169 PMW



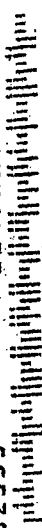


STATE OF FLORIDA  
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 2601 Blair Stone Road  
 Tallahassee, Florida 32399  
 www.MyFloridaLicense.com

12

**RECEIVED**  
 JUN 12 2019  
 Office of the General Counsel  
 (Part-Mutuel Wagering)

Tyree Smith  
 2020 N.W. 65<sup>th</sup> Street  
 Miami, Florida 33147  
 2018-053169 PMW

NIXIE 326 4C 1 7206/06/19  
 RETURN TO SENDER  
 NOT DELIVERABLE AS ADDRESSED  
 UNABLE TO FORWARD  
 GC: 32399 2247N157235-00151  


326 7E N C0004/30/19  
 UNABLE TO FORWARD/FOR REVIEW  
 #C007\*\*  
 001 3317735000 01747EN1 70333-00110

**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

2018-053169  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - TYREE SMITH

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

08/02/2019 08/09/2019 08/16/2019 08/23/2019

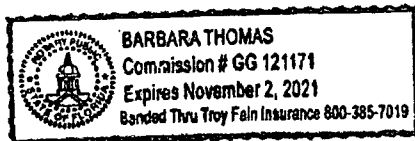
Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has 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  
23 day of AUGUST, A.D. 2019

*Barbara Thomas*

(SEAL)  
GUILLERMO GARCIA personally known to me



**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**  
IN RE: Violation of Section 551.109  
Florida Statutes  
TYREE SMITH  
2051 N.W. 64th Street  
Miami, Florida 33147  
2020 N.W. 65th Street  
Miami, Florida 33147  
CASE NO.: 2018-053169  
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 Regu-  
lation, 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 August 30,  
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.  
8/2-9-16-23 19:02/0000415072M

