

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

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	4/4/2019
File #	2019-02975

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

Petitioner,

v.

Case No.: 2018-054995

ELVECIUS MORICEAU,

Respondent.

\_\_\_\_\_ /

FINAL ORDER

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

1. An Administrative Complaint was filed in this case on November 21, 2018, alleging that Respondent violated provisions of section 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 March 1, 2019, March 8, 2019, March 15, 2019 and March 22, 2019, via publication in the *Broward Daily Business Review*, a publication in general circulation within Boward 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 him and 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.

(SIGNATURE PAGE TO FOLLOW)

WHEREFORE, it is hereby ORDERED and ADJUDGED:

10. Respondent's is hereby PERMANENTLY EXCLUDED from all 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 2 day of April, 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  
(850) 717-1768

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 4<sup>th</sup> day of April, 2019 to:

**Elvecius Moriceau**  
218R S.W. 11<sup>th</sup> Street  
Dania Beach, Florida 33004

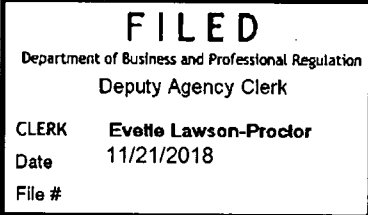
*Brandon M. Nichols*

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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,

DBPR Case No.: 2018-054995

v.

ELVECIUS MORICEAU,

Respondent.

ADMINISTRATIVE COMPLAINT

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

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapter 550 and section 849.086, Florida Statutes.
2. At all times material hereto, Respondent did not hold a valid pari-mutuel wagering license with the Petitioner.
3. Casino Dania Beach is a licensed pari-mutuel and cardroom facility in the state of Florida.
4. At all times material hereto, Respondent was a patron at Casino Dania Beach.
5. On or about October 22, 2018, Respondent was ejected by Casino Dania Beach security officers and local sheriff's deputies for aggressive conduct directed toward Casino Dania Beach cardroom employees.

6. On or about October 22, 2018, Respondent was issued a trespass warning and lifetime ejection by Casino Dania Beach.

7. Pursuant to section 550.0251(6), Florida Statutes:

In addition to the power to exclude certain persons from any pari-mutuel facility in this 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.

8. 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 Dania Beach on October 22, 2018.

WHEREFORE, Petitioner respectfully requests the Division enter an Order permanently EXCLUDING Respondent from all licensed pari-mutuel facilities in the state pursuant to chapter 550, Florida Statutes, and the rules promulgated thereunder.

*(SIGNATURES APPEAR ON FOLLOWING PAGE)*

This Administrative Complaint in Case Number 2018-054995 is signed this 21st day of November, 2018.

/s/ Megan S. Silver

**MEGAN S. SILVER**  
Deputy Chief Attorney  
Florida Bar No. 115518  
[Megan.Silver@MyFloridaLicense.com](mailto:Megan.Silver@MyFloridaLicense.com)

/s/ Louis Trombetta

**LOUIS TROMBETTA**  
Chief Attorney  
Florida Bar No. 0108119  
[Louis.Trombetta@MyFloridaLicense.com](mailto: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 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.

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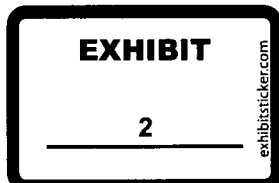
Postmark  
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Sent To  
Street, A  
or PO Box  
City, State

Elvecius Moriceau  
218R S.W. 11<sup>th</sup> Street  
Dania Beach, Florida 33004  
2018-54995 PMW

PS Form 3800, August 2006

See Reverse for Instructions

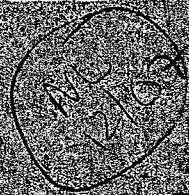




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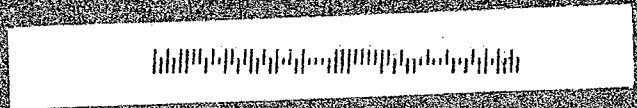


106 2150 0005 6841 7792



UNCLAIMED

Elvecius Moriceau  
218R S.W. 11<sup>th</sup> Street  
Dania Beach, Florida 33004  
2018-54995 PMW



7018 1630 0001 6A22 6306  
9039 2289 T000 9T07

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

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218R S.W. 11<sup>th</sup> Street  
Dania Beach, Florida 33004  
2018-054995 PMW

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April 1, 2019  
In Transit to Next Facility

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**April 1, 2019**

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**March 29, 2019, 12:47 pm**

Arrived at USPS Regional Facility

GAINESVILLE FL DISTRIBUTION CENTER

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**March 23, 2019, 6:32 am**  
Unclaimed/Being Returned to Sender  
DANIA, FL 33004

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**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 BARBARA JEAN COOPER, 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

2018-054995

BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - IN RE: EXCLUSION FROM ALL FLORIDA PARI-MUTUEL FACILITIES. - ELVECIUS MORICEAU - LICENSE NO.: UNLICENSED

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

03/01/2019 03/08/2019 03/15/2019 03/22/2019

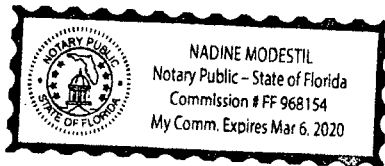
Affiant further says that the said Broward Daily Business Review is a newspaper published at Fort Lauderdale, in said Broward County, Florida and that the said newspaper has heretofore been continuously published in said Broward County, Florida each day (except Saturday, Sunday and Legal Holidays) and 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.

*Barbara Jean Cooper*

Sworn to and subscribed before me this  
22 day of MARCH, A.D. 2019

*Nadine Modestil*

(SEAL)  
BARBARA JEAN COOPER personally known to me



**NOTICE OF ACTION**  
**BEFORE THE DIVISION OF PARI-MUTUEL WAGERING**  
IN RE: Exclusion from all Florida Par-Mutuel Facilities  
ELVECIUS MORICEAU  
218R S.W. 11th Street  
Dania Beach, Florida 33004  
CASE NO.: 2018-054995  
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 Par-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-2282, (850) 717-1885.  
If no contact has been made by you concerning the above by March 29, 2019, the matter of the Administrative Complaint will be presented to the Director of the Division of Par-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, 1-800-655-3771 (TDD) or 1-800-655-3770 (v) via Florida Relay Service. 3/1-8-19-22 18-01-0000001841B

