

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.: 2019-011454

JULIETTE PETIT-FRERE,

Respondent.

\_\_\_\_\_ /

FINAL ORDER

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

1. An Administrative Complaint was filed in this case on July 9, 2019, alleging that Respondent violated provisions of section 551.109, Florida Statutes and Rule 61D-14.090, *Florida Administrative Code* (“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 November 15, 2019, November 22, 2019, November 29, 2019 and December 6, 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 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 is hereby PERMANENTLY EXCLUDED from all Florida pari-mutuel facilities.

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 7<sup>th</sup> day of January, 2020.



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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

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 16<sup>th</sup> day of January, 2020, to:

**Juliette Petit-Frere**  
21351 San Simeon Way, #307  
North Miami Beach, Florida 33179

and

16851 Northeast Third Avenue, #110  
Miami, Florida 33160



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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,

vs.

DBPR Case No.: 2019-011454

JULIETTE PETIT-FRERE,

Respondent:

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ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Juliette Petit-Frere ("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's address is reported as 16851 Northeast 22nd Avenue, #110, Miami, Florida 33160.
3. At all times material hereto, Respondent was a patron of Gulfstream Park Racing Association, Inc. ("Gulfstream Park").
4. At all times material hereto, Gulfstream Park was a facility operated by a permitholder authorized to conduct pari-mutuel wagering and operate slot machines in the State of Florida.

5. On or about February 13, 2019, 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.

6. On or about February 15, 2019, Respondent was ejected and permanently excluded from Gulfstream Park.

#### COUNT I

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

8. Section 551.109(3), Florida Statutes, 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.

9. Rule 61D-14.090, *Florida Administrative Code*, provides “[n]o person shall conspire with, solicit, aid, abet, counsel, hire, or procure any other person or 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.”

10. 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 her own at Gulfstream Park on or about February 13, 2019.

## COUNT II

11. Petitioner realleges and incorporates the allegations contained within paragraphs one, three, four, and six as though fully set forth herein.

12. 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).

13. 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).

14. Based on the foregoing, Respondent is subject to permanent exclusion from all licensed slot machine facilities in the State of Florida based on her ejection from Gulfstream Park on February 15, 2019.

WHEREFORE, Petitioner respectfully requests the Division Director 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 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2019-011454 is signed this 17th day of June, 2019.

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

/s/ Megan S. Silver  
**MEGAN S. SILVER**  
Chief Attorney  
Florida Bar No. 115518  
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 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, *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.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

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7017 2620 0000 3310 9429

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|---|---|
| Certified Mail Fee \$ _____   | <div style="font-size: 2em; font-weight: bold;">7/9/19</div> <p>Postmark<br/>Here</p>                 |
| Extra Services & Fees (check box, add fees as appropriate)            |   |
| <input type="checkbox"/> Return Receipt (hardcopy) \$ _____           |   |
| <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 \$ _____  |   |
| Total Postage \$ _____  |   |
| Sent To _____   | <b>Juliette Petit-Frere</b><br>16851 N.E. 3rd Avenue, #110<br>Miami, Florida 33160<br>2019-011454 PMW |
| Street and A _____  |   |
| City, State, ZIP _____  |   |

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

EXHIBIT

2

exhibitsticker.com

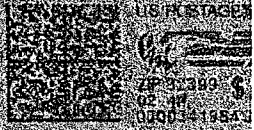


STATE OF FLORIDA  
 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 2601 Blair Stone Road  
 Tallahassee, Florida 32399  
 www.MyFloridaLicense.com

**CERTIFIED MAIL**



7017 2620 0000 3310 9429



Juliette Petit-Frere  
 16851 N.E. 3rd Avenue, #110  
 Miami, Florida 33160  
 2019-011454 PMW.

08/07/19

R-T-S 331605009-1N

RETURN TO SENDER  
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 RETURN TO SENDER

*LA*



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



Juliette Petit-Frere  
16851 N.E. 3rd Avenue, #110  
Miami, Florida 33160  
2019-011454 PMW

INXIE 326 42 1 7288/04/19  
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| Extra Services & Fees (check box, add fee as appropriate)    |    |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ |
| <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  | \$ |
| <b>Total Postage</b>   | \$ |

8/5/19  
Postmark  
Here

Juliette Petit-Frere  
 21351 San Simeon Way, #307  
 North Miami Beach, Florida 33179  
 2019-011454 PMW

Sent To  
 Street and A/C  
 City, State, Z

**Track Another Package +****Tracking Number:** 70181830000168228757

Remove X

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

**In-Transit**

August 13, 2019  
In Transit to Next Facility

Feedback

**Tracking History****August 13, 2019**

In Transit to Next Facility

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

**August 9, 2019, 9:59 pm**

Departed USPS Regional Facility  
OPA LOCKA FL DISTRIBUTION CENTER

**August 8, 2019, 9:34 am**

Arrived at USPS Regional Facility  
OPA LOCKA FL DISTRIBUTION CENTER

**August 6, 2019, 11:26 pm**

Departed USPS Regional Facility  
TALLAHASSEE FL DISTRIBUTION CENTER

**August 6, 2019, 10:00 pm**

Arrived at USPS Regional Facility

TALLAHASSEE FL DISTRIBUTION CENTER

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**Product Information**



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**See Less** ^

## **Can't find what you're looking for?**

Go to our FAQs section to find answers to your tracking questions.

**FAQs**

Feedback

9069 0001 6822 9069

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|--|----|
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| Extra Services & Fees (check box, add fee as appropriate)    |    |
| <input type="checkbox"/> Return Receipt (hardcopy)           | \$ |
| <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  | \$ |
| <b>Total Postage</b>   | \$ |

9/13/19

Postmark  
Here

|                       |                            |
|-----------------------|----------------------------|
| <b>Sent To</b>        | Juliette Petit-Frere       |
| <b>Street and A</b>   | 21351 San Simeon Way, #307 |
| <b>City, State, Z</b> | North Miami, Florida 33179 |
|                       | 2019-011454 PMW            |



## Track Another Package +

**Tracking Number:** 70181830000168229068

[Remove X](#)

Your item could not be delivered on October 19, 2019 at 11:54 am in MIAMI, FL 33169. It was held for the required number of days and is being returned to the sender.

### Alert

October 19, 2019 at 11:54 am  
Unclaimed/Being Returned to Sender  
MIAMI, FL 33169

Feedback

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### Tracking History



**October 19, 2019, 11:54 am**

Unclaimed/Being Returned to Sender  
MIAMI, FL 33169

Your item could not be delivered on October 19, 2019 at 11:54 am in MIAMI, FL 33169. It was held for the required number of days and is being returned to the sender.

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**September 28, 2019, 3:46 pm**

Notice Left (No Authorized Recipient Available)  
MIAMI, FL 33179

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**September 26, 2019**

Redelivery Scheduled  
MIAMI, FL 33179

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**September 17, 2019, 4:48 pm**

Notice Left (No Authorized Recipient Available)

MIAMI, FL 33179

**September 17, 2019**

In Transit to Next Facility

**September 15, 2019, 5:41 pm**

Departed USPS Regional Facility

OPA LOCKA FL DISTRIBUTION CENTER

**September 15, 2019, 11:04 am**

Arrived at USPS Regional Facility

OPA LOCKA FL DISTRIBUTION CENTER

**September 13, 2019, 11:06 pm**

Departed USPS Regional Facility

TALLAHASSEE FL DISTRIBUTION CENTER

**September 13, 2019, 10:14 pm**

Arrived at USPS Regional Facility

TALLAHASSEE FL DISTRIBUTION CENTER

Feedback

**Product Information**



**See Less** ^

## Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs**

**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

2019-011454  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING -  
JULIETTE PETIT-FRERE

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

11/15/2019 11/22/2019 11/29/2019 12/06/2019

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.

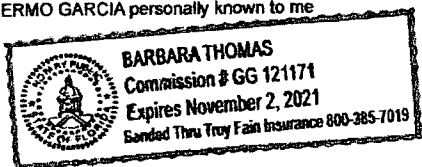
*Guillermo Garcia*

Sworn to and subscribed before me this  
6 day of DECEMBER, 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

JULIETTE PETIT-FRERE  
16851 N.E. 3rd Avenue, #110  
Miami, FL 33160  
21351 San Simeon Way, #307  
N. Miami, FL 33179  
CASE NO.: 2019-011454  
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 Matthews, Administrative Assistant II, Office of the General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, (850) 717-1585.

If no contact has been made by you concerning the above by December 13, 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 special accommodation to participate in this proceeding should contact the individual or agency sending notice no 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. 11/15-22-29 12/6 19-50/0000437860M

