

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.: 2019-052975

JAKE AUSTIN DEMARCO,

Respondent.

\_\_\_\_\_ /

FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), issues this Final Order against Jake Austin Demarco (“Respondent”) as follows:

1. An Administrative Complaint was filed in this case on February 18, 2020, alleging that Respondent violated section 550.0251(6), 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 U.S. mail on February 20, 2020. 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 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.

5. 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 proof of service, and being otherwise fully advised in the premises, it is hereby

**ORDERED and ADJUDGED:**

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

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

8. This Final Order is effective on the date it is filed with the Agency Clerk of the Department of Business and Professional Regulation.

This Final Order in DBPR Case Number 2019-052975 is **DONE** and **ORDERED** this 23 day of June, 2020.



---

**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

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

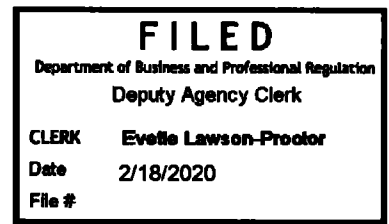
I HEREBY CERTIFY that on this 24<sup>th</sup> day of June, 2020, a true and correct copy of this Final Order on Waiver was provided to Respondent at:

**Jake Austin DeMarco**  
155 London Fog Way  
Sanford, Florida 32771

*Brandon M. Nichols*

---

**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.: 2019-052975**

**v.**

**JAKE AUSTIN DEMARCO,**

**Respondent.**

\_\_\_\_\_ /

**ADMINISTRATIVE COMPLAINT**

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Jake Austin Demarco (“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 849, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel Wagering General Individual Occupational License, number 11312595-1022, issued by Petitioner.
3. At all times material hereto, Sanford Orlando Kennel Club (“SOKC”) was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about October 11, 2019, Respondent was permanently trespassed from “SOKC.”



5. Section 550.0251(6), Florida Statutes, 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).

6. Based on the foregoing, Respondent violated section 550.0251(6), Florida Statutes and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities in the State of Florida based on his permanent trespass from "SOKC" on October 11, 2019.

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

This Administrative Complaint for DBPR Case 2019-052975 is signed this 13th day of February, 2020.

/s/ Darrell Garvey  
**DARRELL GARVEY**  
Assistant General Counsel  
Florida Bar No. 1018554  
Darrell.Garvey@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 32399-1035  
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.

SENDER - COMPLETE THIS SECTION		POST OFFICE - COMPLETE THIS SECTION	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return this card to you.</p> <p>■ Attach this card to the back of the mailpiece or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> Agent <i>J DeMarco</i> <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p style="text-align: center;">Jake DeMarco 155 London Fog Way Sanford, Florida 32771 2019-052975 PMW</p>		<p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery <i>J DeMarco</i> 3/20/20</p>	
<p>2. Article Addressed to:</p> <p style="text-align: center;">Jake DeMarco 155 London Fog Way Sanford, Florida 32771 2019-052975 PMW</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. Article Number (Transfer from service label)</p> <p style="text-align: center;">7018 1830 0001 6822 7705</p>		<p>2. Service Type</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Certified Mail <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Full Restricted Delivery</p>	
<p>9500 9402 5277 9154 3999 56</p>		<p><input type="checkbox"/> Registered Mail <input type="checkbox"/> Registered Mail Restricted <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation™ Restricted Delivery</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9033</p>		<p>Domestic Return Receipt</p>	

**EXHIBIT**

2

exhibitsticker.com

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

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

**OFFICIAL USE**

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_
- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

2/18/20

Postmark  
Here

Postage

\$

Total Postage

\$

Sent To

Street and Ap.

City, State, Zi

Jake DeMarco  
155 London Fog Way  
Sanford, Florida 32771  
2019-052975 PMW

7018 1830 0001 6622 7705