

**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.: 2021-012913**

**LAZARO W. DE LA TORRE ESPINDOLA,**

**Respondent.**

\_\_\_\_\_ /

**FINAL ORDER**

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), issues this Final Order against Lazaro W. De La Torre Espindola, (“Respondent”) as follows:

1. An Administrative Complaint was filed in this case on June 14, 2021, alleging that Respondent violated Section 550.0251(6), 551.112, Florida Statutes, and Rule 61D-11.005(4), Florida Administrative Code. A copy of the Administrative Complaint is attached hereto as Exhibit “1” and incorporated by reference.

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 July 24, 2021. Proof of service is attached hereto as Exhibit “2” and incorporated by reference.

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 service of the Administrative Complaint with Election of Rights form, Explanation of Rights, and cover letter on Respondent along with Respondent's failure to respond, 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 and any facility of a slot machine licensee in 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, as indicated on the first page of this Order.

This Final Order in DBPR Case Number 2021-012913 is DONE and ORDERED this 26 day of August, 2021.

  
\_\_\_\_\_  
**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](mailto: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 3<sup>rd</sup> day of September, 2021, a true and correct copy of this Final Order has been sent via U.S. Mail to:

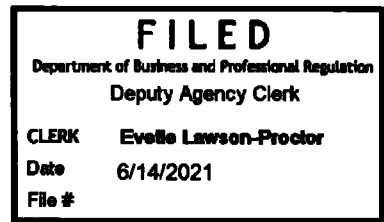
**Lazaro W. De La Torre Espindola**  
11353 North West 3rd Terrace  
Miami, Florida 33172

*Brandon M. Nichols*

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

CC: Ebonie Lanier



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

DEPARTMENT OF BUSINESS  
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DIVISION OF PARI-MUTUEL WAGERING,

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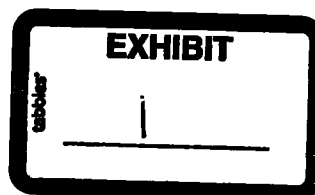
LAZARO W. DE LA TORRE ESPINDOLA,

Respondent.

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Lazaro W. De La Torre Espindola (“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, South Florida Racing Association, LLC (“Hialeah Park Racing & Casino”) was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
3. On or about March 10, 2021, Respondent was observed cheating and colluding with a dealer at table number 12.
4. On or about March 10, 2021, Respondent was ejected from Hialeah Park Racing & Casino.



## COUNT I

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

6. Rule 61D-11.005(4), Florida Administrative Code, states:

(4) No person shall, either directly or indirectly:

(a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.

(b) Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.

(c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.

7. Based on the foregoing, Respondent violated Rule 61D-11.005(4), Florida Administrative Code, by cheating and colluding with a dealer at table number 12.

## COUNT II

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

9. 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).

10. 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.

(Emphasis supplied).

11. Based on the foregoing, Respondent violated Sections 550.0251(6) and 551.112, Florida Statutes, and is subject to exclusion from all licensed pari-mutuel wagering facilities in the State of Florida and any facility of a slot machine licensee in the State of Florida based on his ejection from Hialeah Park Racing & Casino on March 10, 2021.

*(SIGNATURE TO FOLLOW)*

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order excluding Respondent from any and all pari-mutuel facilities in the State of Florida and any facility of a slot machine licensee in the State of Florida, along with any other remedy provided by Chapters 550, 551, and 849, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2021-012913 is signed this 11th day of June, 2021.

*/s/ Emily A. Leiva*

Emily A. Leiva  
Assistant General Counsel  
Florida Bar Number: 1025200  
Department of Business and Professional Regulation  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: [Emily.Leiva@MyFloridaLicense.com](mailto:Emily.Leiva@MyFloridaLicense.com)  
Secondary: [Ebonie.Lanier@MyFloridaLicense.com](mailto:Ebonie.Lanier@MyFloridaLicense.com)



### **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.

**Track Another Package +**

**Tracking Number:** 70192970000061137944

**Remove X**

Your item was delivered to an individual at the address at 10:00 am on July 24, 2021 in MIAMI, FL 33172.

## **Delivered, Left with Individual**

July 24, 2021 at 10:00 am  
MIAMI, FL 33172

Feedback

**Get Updates** v

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**Text & Email Updates**



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**Tracking History**

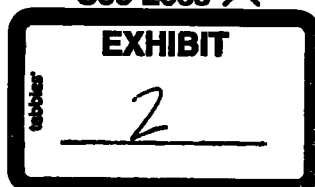


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**Product Information**



See Less ^



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

Go to our [FAQs](#) section to find answers to your tracking questions.

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**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 and fee as appropriate)

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

7-19-21

Postmark  
Here

Postage

\$

Total Postage and

Fee

Sent To

Street and Apt. No.

City, State, ZIP+4

**Lazaro W. De La Torre  
Espindola  
11353 N.W. 3<sup>rd</sup> Terrace  
Miami, Florida 33172  
NOH- 2021-012913 - PMW**


7019 2970 0000 6113 7944

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Lazaro W. De La Torre  
Espindola  
11353 N.W. 3<sup>rd</sup> Terrace  
Miami, Florida 33172  
NOH- 2021-012913 - PMW**




9590 9402 5538 9249 0321 25

2. Article Number (Transfer from service label)

7019 2970 0000 6113 7944

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

X 

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

**RECEIVED**  
AUG 09 2021  
By: E. Lanier

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	