

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2022-033282

MARK ALAN BYRDSONG,

Respondent.

_____ /

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on March 10, 2023, for final agency action pursuant to sections 120.569 and 120.57(2), Florida Statutes. After a complete review of the records in this matter, the Commission makes the following findings of fact and conclusions of law:

1. An Administrative Complaint was filed in this case on August 26, 2022, alleging that Respondent is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the state of Florida under sections 550.0251(6) and 551.112, Florida Statutes. 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 mail on January 3, 2023. 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 Complaint, including the right to request a hearing, was

due within 21 days of actual service of the Complaints. See § 120.569(1), Fla. Stat., and Fla. Admin. Code R. 28-106.111.

4. Petitioner informed Respondent that the failure to file a timely response to the Complaint would be deemed a waiver of the right to a hearing.

5. Respondent has not filed a timely response to the 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 Complaint, the service of the 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:

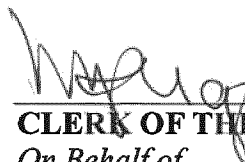
6. The allegations of fact and the conclusions of law in the Administrative Complaint are adopted in their entirety herein.

7. Respondent is hereby **PERMANENTLY EXCLUDED** from all pari-mutuel facilities and all facilities of a slot machine licensee within the State of Florida.

This Final Order shall take effect upon being filed with the Clerk of the Commission.

DONE AND ORDERED this 13th day of MARCH, 2023.

FLORIDA GAMING CONTROL COMMISSION



CLERK OF THE COMMISSION

On Behalf of

Julie Brown, Commissioner

John D'Aquila, Commissioner

Charles Drago, Commissioner


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 Clerk of the Commission, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202 (Email: clerk@fgcc.fl.gov), 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) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the Clerk of the Commission.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of MARCH, 2023, a true and correct copy of this Final Order has been sent via U.S. Mail to:

Mark Alan Byrdsong
602 South 24th Avenue, Back Apt.
Hollywood, Florida 33020



CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier

FILED

**Florida Gaming Control Commission
Office of the Agency Clerk**

Clerk Donna Fleming

Date 8/26/2022

**STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING**

**FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,**

Petitioner,

v.

FGCC Case No.: 2022-033282

MARK ALAN BYRDSONG,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Mark Alan Byrdsong (“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’s address was reported as 3305 El Jardin Drive, Apt. #3, Hollywood, Florida 33024.
3. At all times material hereto, Big Easy Casino 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 June 19, 2022 and June 20, 2022, Respondent was a patron of Big Easy Casino.
5. On or about June 27, 2022, Respondent was permanently excluded from Big Easy Casino.



6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. 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).

8. 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).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida under Sections 550.0251(6) and 551.112, Florida Statutes based on his ejection from Big Easy Casino on or about June 27, 2022.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee 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 FGCC Case Number 2022-033282 is signed this 23rd day of August, 2022.

/s/ Emily A. Alvarado

Emily A. Alvarado
Deputy Chief Attorney
Florida Bar Number: 1025200
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
2601 Blair Stone Road
Tallahassee, Florida 32399-2202
Telephone: (850) 717-1783
Facsimile: (850) 921-1311
Primary: Emily.Alvarado@fgcc.fl.gov
Secondary: Ebonie.Lanier@fgcc.fl.gov

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.



FAQ | Help | Sign Out

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Complaint Search Update	Change Recording Mass Status Update	License Type Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Immuniz

VR Home > Complaint Search > Maintain Complaint

Lic Type	1098 - Unlicensed Complaints	Status	90 Closed	Status Date	08/09/2022
Complaint #	2022033282	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	BYRDSONG, MARK ALAN	Responsible	bjones - JONES, BRADFORD	Private Case

Complaint	Respondent	Complainant	Add'l Info
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Source	INTN - Internal	Security Level	1	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities	
Form	INTR - Internal	Priority				
Class'n	V-C - Cardroom Violations	Complexity	R - Regular	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline	
Security	STND - Standard	Incident	06/20/2022	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance	
Region	SR - Southern Region	Received	07/11/2022	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition	
Reference	550.0251(6)			<input type="checkbox"/> Inspection		
Entered	07/11/2022	Entered By	icampbell	<input type="checkbox"/> Costs		
Summary	<p>144 - 831 Federal Highway Acquisition, LLC - Prohibitions: On June 20, 2022 after playing Slot Blackjack and being dissatisfied with the outcome, a distressed BYRDSONG left the Big Easy Casino (BEC). As he exited he tore down an American Flag installed on the property. Subsequently on June 27, 2022 after playing Slot Blackjack, and again being dissatisfied with the outcome BYRDSONG exited the BEC property stealing a chair from the lobby area, loading it into and transporting it off property in his car. His actions were reported to police and he was lifetime excluded from the property.</p>				<input type="checkbox"/> Time Tracking <input type="checkbox"/> Attachments <input type="checkbox"/> Work Notes	<input type="checkbox"/> Auto Assign <input type="checkbox"/> History <input type="checkbox"/> Print Report
Updated	08/09/2022 15:12:26	By	Imuniz			

29	Change	Save	OK	Cancel	Back
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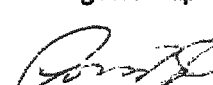



Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTH	Date of Complaint: JULY 11, 2022	Case Number: 2022 03 3282
Respondent: BYRDSONG, MARK 3305 EL JARDIN DRIVE APT. #3 HOLLYWOOD, FLORIDA 33024		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FORT LAUDERDALE, FLORIDA 33309	
License # and Type: UNLICENSED PATRON		Profession: UNKNOWN	Report Date: AUGUST 01 XX, 2022
Period of Investigation: JULY 06, 2022 – AUGUST 01, 2022		Type of Report: FINAL	
Alleged Violation: F.S.S. 550.0251 (6) The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. – 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 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.			
Synopsis: On June 20, 2022 after playing Slot Blackjack and being dissatisfied with the outcome, a distressed BYRDSONG left the Big Easy Casino (BEC). As he exited he tore down an American Flag installed on the property. Previously on June 19, 2022 after playing Slot Blackjack, and being dissatisfied with the outcome BYRDSONG exited the BEC property stealing a chair from the lobby area, loading it into and transporting it off property in his car. his actions were reported to police and he was lifetime excluded from the property..			
Related Case:			
Investigator / Date  William Smith / August 1, 2022		Investigator Supervisor / Date  Bradford D. Jones / August 9, 2022	
Chief of Investigations / Date  Bradford D. Jones for Steven E. Kogan / August 9, 2022			

CONTINUATION

MARK BYRDSONG was a Patron of The Big Easy Casino. In two separate incidents he exhibited erratic and improper behavior including a theft which has resulted in a lifetime ejection from the facility.

In the first incident as described by the BEC Surveillance (**EXHIBIT #1**); **BYRDSONG** after playing Slot Blackjack and appearing distressed, exits the casino and steals a lounge chair from the lobby. Surveillance video follows him as he picks up the chair, walks to his car, and places it into the backseat of the vehicle before driving away. This occurred on June 19, 2022.

In the second incident **BYRDSONG** as described by BEC Surveillance (**EXHIBIT #2**); once again after playing Slot Blackjack exhibits apparent distress. Surveillance video follows him as he exits the casino. Upon his leaving he forcefully pulls down an American Flag, breaking the bracket and pole assembly.

I have reviewed video footage of both incidents and can attest to the accuracy of the Surveillance / Security reports. A thumbdrive containing a copy of the video of both incidents was obtained and placed into evidence (**EXHIBIT #3**)

BYRDSONG was permanently excluded from the Big Easy Casino and the theft was reported to the Broward County Sheriff's Office (**EXHIBIT #4**).

Conclusion: Given the nature of his actions and ensuing lifetime exclusion from a licensed Florida pari-mutuel facility, **BYRDSONG** should be considered for statewide exclusion from all pari-mutuel facilities.

Status: Closed by Investigations and forwarded to Legal for review.

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Incident Report

Incident Number: INCD-2022-06-00172
Class/Category: 06. Theft (except M.V.)
Occurred From Date/Time: 6/19/2022 10:44 PM
Status: Open

Incident Number: INCD-2022-06-00172

Class/Category: 06. Theft (except M.V)

Status: Open

Incident Details

Incident Details

Incident Number: INCD-2022-06-00172

Classification

Class: 06. Theft (except M.V)

Reported Date/Time: 6/27/2022 10:14 AM

Occurred From Date/Time: 6/19/2022 10:44 PM

Occurred To Date/Time: 6/19/2022 10:50 PM

Incident Duration: 0Hrs. 6Min.

Summary:

Male guest took chair from the main entrance.

Physical Location

Site: The Big Easy Casino

Building: Interior

Location: 1st Floor

Section: Main Lobby Area

Supplemental Details

Reported to Police: No

Reported to Division: No

Reported to Supervisor: No

Follow-up Required: No

Incident Number: INCD-2022-06-00172

Class/Category: 06. Theft (except M.V)

Status: Open

Incident Involvement Section

Linked Person

Total = 1

BYRDSONG, Mark

Involvement Type:

Suspect

Date of Birth:	██████████	Arrested:	No
Gender:	Male	Injured/EMS Transported:	No
Hair Color:	Black	Injured/First Aid Administered:	No
Eye Color:	Brown	Notes:	
Height:	5' 11"		
Weight:	0lbs		
Race:			
Employee?:	No		
Interviewed?:	No		
Linked To Person:	Byrdsong, Mark		

Incident Narratives

Incident Narratives

Total = 2

Incident Number: INCD-2022-06-00172

Class/Category: 06. Theft (except M.V)

Status: Open

AUTHOR: Kern, Nathan Narrative Type: *Original Narrative*

Created By Date/Time 6/27/2022 10:21 AM **Sealed** No

Narrative:

On Monday, June 27, 2022, at approximately 9:24 AM, The Surveillance Department received a call from Security Director Tammy McArthur that she had received a report of a chair missing from the main entrance lobby.

The footage of the area was reviewed and the following was observed:

On Sunday, June 19, 2022, at approximately 10:43 PM, A male guest wearing a blue and light green shirt, dark colored basketball shorts, and black sandals exited the slot floor and approached the main lobby area. At this time, the subject picked up the chair and walked out the building. The subject continued into the parking lot and into a light colored sedan parked near the W-12 pole. The subject then departed property at Dixie Highway.

Further review showed that the subject had entered the slot floor at approximately 10:21 PM. The subject was stopped and his identification was checked by Security Officer William Grant. The ID presented to Grant by the subject was scanned to validate. The ID that was scanned was under the name Mark Byrdsong, who fit the description of the subject. The subject was then allowed entry to the casino floor.

It should be noted that the subject also fits the description of a person involved in a property damage report from June 20, 2022. See report INCD #2022-06-00114.

The footage of the incident has been archived.

AUTHOR: Vincent, Jennyfer Narrative Type: *Follow-up*

Created By Date/Time 6/27/2022 11:53 PM **Sealed** No

Narrative:

On Monday, June 27, 2022 At approximately 6:57 PM, Director of security Tammy McArthur reported informational update in regards to guest identified as Mark Byrdsong. Mark was involved in theft of casino chair and vandalism of American flag located at poker entrance, HBPD was called for a report and provided the following case number 28-2206-018282.

Additionally, Byrdsong is to be issued a Lifetime ban. Notified HBPD prior to approaching in order to obtain an official trespass affidavit.

Incident Number: INCD-2022-06-00172

Class/Category: 06. Theft (except M.V)

Status: Open

Investigation Details

Investigation Start Date:

Investigation Last Review Date:

Investigation Duration: 0

Investigation Closed Date:

Total Time Spent: 0 Hrs. 0 Min.

Investigation Initiated By Person:

Total Expenses:

Investigation Comments:

Incident Controls

Incident Controls

Org Rollup Name

Access Level: Level 3

Org Level 1:

Status: Open

Org Level 2:

Disposition:

Org Level 3:

Expiry Date:

Org Level 4:

Locked: No

Archive (record not visible): No

Record Owner: Kern, Nathan

Incident Visibility

Owner Workgroup: Surveillance

Exceptions: Workgroup Name Record Rights

All Workgroups: Update



Incident Record Created By Nkern, 6/27/2022 2:21 PM GMT

Last Modified By Mtammy, 6/28/2022 7:52 PM GMT

Owner Workgroup:
Surveillance

Access Level:
Level 3

Local Print Date/Time:
7/6/2022 12:30 PM

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EXHIBIT #1
PAGE #

Incident Report

Incident Number: INCD-2022-06-00114

Class/Category: 04. Property Damage/By Guest

Occurred From Date/Time: 6/20/2022 1:52 AM

Status: Open

Incident Number: INCD-2022-06-00114

Class/Category: 04. Property Damage/By Guest

Status: Open

Incident Details

Incident Details

Incident Number: INCD-2022-06-00114

Classification

Class: 04. Property Damage

Category: By Guest

Reported Date/Time: 6/20/2022 1:52 AM

Occurred From Date/Time: 6/20/2022 1:52 AM

Summary:

On Monday, June 20, 2022 at 01:23 hrs, this writer, Security Supervisor Matthew Reynolds, was called by Security Officer Lincoln Parkinson to the Poker Entrance.

Physical Location

Site: The Big Easy Casino

Building: Exterior

Location: North Entrance

Supplemental Details

Reported to Police: No

Reported to Division: No

Reported to Supervisor: No

Follow-up Required: No

Incident Involvement Section

Linked Person

Total = 3

Owner Workgroup:
Security

Access Level:
Level 4

Local Print Date/Time:
7/6/2022 12:33 PM

Page 1 of 7

EXHIBIT #2
PAGE #2

Incident Number: INCD-2022-06-00114

Class/Category: 04. Property Damage/By Guest

Status: Open

MALE, Unknown

Involvement Type:

Suspect



Date of Birth:

Gender: Male

Hair Color:

Eye Color:

Height: 00' 00"

Weight: 0lbs

Race: White

Employee?: No

Interviewed?: No

Linked To Person: Male, Unknown

Arrested: Yes

Injured/EMS

Transported:

Injured/First Aid

Administered:

Notes:

PARKINSON, Lincoln

Involvement Type:

Reported By



Date of Birth:

Gender:

Hair Color:

Eye Color:

Height: 00' 00"

Weight: 0lbs

Race:

Employee?: Yes

Interviewed?: No

Linked To Person: Parkinson, Lincoln

Arrested: No

Injured/EMS

Transported:

Injured/First Aid

Administered:

Notes:

Incident Number: INCD-2022-06-00114

Class/Category: 04. Property Damage/By Guest

Status: Open

REYNOLDS, Matthew

Involvement Type:

Reported By

Date of Birth:

Gender: Male

Hair Color:

Eye Color:

Height: 00' 00"

Weight: 0lbs

Race:

Employee?: Yes

Interviewed?: No

Linked To Person: Reynolds, Matthew

Arrested: No

Injured/EMS No

Transported:

Injured/First Aid No

Administered:

Notes:

Incident Narratives

Incident Narratives

Total = 4

Owner Workgroup:
Security

Access Level:
Level 4

Local Print Date/Time:
7/6/2022 12:33 PM

Page 3 of 7

EXHIBIT #2
PAGE #4

Incident Number: INCD-2022-06-00114

Class/Category: 04. Property Damage/By Guest

Status: Open

AUTHOR: Reynolds, Matthew Narrative Type: *Original Narrative*

Created By Date/Time 6/20/2022 2:04 AM **Sealed** No

Narrative:

On Monday, June 20, 2022 at approximately, 01:23 hrs, this writer, Security Supervisor Matthew Reynolds, was called by Security Officer Lincoln Parkinson to the Poker Entrance. Officer Parkinson also called Surveillance. Officer Parkinson stated that an Unknown Male Guest had just pulled down the American Flag that hangs over the Poker Entrance. And that another guest has brought the Flag back inside the Casino.

A review was conducted

At approximately, 01:21hrs an Unknown Male guest can be seen reaching up at the Flag and Forcefully Pulling the Flag down and also breaking the bracket that holds the Flag Pole in place. Then another Unknown Male Guest picks the Flag and bracket up and bring them into the Casino. The Unknown Male that pulled the Flag down got into a vehicle and drove off property.

There is nothing further to report.

AUTHOR: Mcarthur, Tammy Narrative Type: *Follow-up*

Created By Date/Time 6/20/2022 10:12 AM **Sealed** No

Narrative:

Upon further review the following was observed:

At approximately 1:18am the unknown H/M guest was observed at the south end of the gaming floor at the Blackjack machines. He seemed to be having some sort of crisis, as he is observed aggressively hitting (in what appeared to be in frustration) at the back of the gaming chair with his opened hand. After,slapping at the chair a few times, he is then seen to grab and hold on to his head, in what looked to be in a motion of disbelief, then he just lays himself down on the gaming floor remaining there for a few seconds. The male subject then gets up and proceeded to walk down the main (middle) aisle of the gaming floor,when he then at approximately 1:20am suddenly stops, stood there for a moment and looks back in the direction of the Blackjack machine. However, he does not go back to the machine, he continued to walk towards the poker room to eventually exit via the north poker doors, where he is observed pulling down the American Flag that is displayed just above the entrance doors.

A Lifetime Ejection is to be issued upon his return. a photo of the male subject has been obtained and is attached to report.

Incident Number: INCD-2022-06-00114

Class/Category: 04. Property Damage/By Guest

Status: Open

AUTHOR: Ferguson, Joanne **Narrative Type:** Follow-up

Created By Date/Time 6/21/2022 5:12 AM **Sealed** No

Narrative:

On Monday, June 20, 2022, at approximately 1:22am, Security Officer Lincoln Parkinson notified the Surveillance Department a man had knocked down the flag outside the poker entrance. A visual was obtained of a W/M holding the flag by the Brush Desk . Parkinson clarified the man who knocked the flag down was in the north lot. A visual was obtained as the suspect got into a white vehicle and drove off property via Pembroke Road at 1:23am.

Video footage was reviewed and the following was observed;

At approximately 1:11am the suspect was observed playing at machine #15-06. At 1:18am, the suspect appeared to become agitated, holding his head, hitting the chair and at one point laying on the floor briefly. At 1:19 he walked away from the machine and made his way to the poker room where he pulled down the flag when exiting at 1:21am.

AUTHOR: Mcarthur, Tammy **Narrative Type:** Follow-up

Created By Date/Time 7/1/2022 1:19 PM **Sealed** No

Narrative:

The Male subject mention in the original narrative written by security supervisor Matthew Reynolds, had been identified as Mark Alan Byrdsong (w/m) DOB [REDACTED]. Brydsong has also been connected to a previous incident, occurring on July 19,2022, Report# 2022-06-00172 - resulting in HYPD Case# 28-2206-01828 being issued.

Incident Number: INCD-2022-06-00114

Class/Category: 04. Property Damage/By Guest

Status: Open

Attachments

Additional Attachments

Total = 3

Attachment Title: 151_-_14.5_2022-06-20_00-03-06.67.2 **File Name:** 151_-_14.5_2022-06-20_00-03-06.67.2.jpeg

Attachment Type: **File Size:** 246 KB
Description:

Attachment Title: INCD 2022-06-00114 **File Name:** INCD 2022-06-00114.JPG

Attachment Type: **File Size:** 4579 KB
Description:

Attachment Title: INCD 2022-06-00114 1 **File Name:** INCD 2022-06-00114 1.JPG

Attachment Type: **File Size:** 2668 KB
Description:

Investigation Details

Investigation Start Date:

Investigation Last Review Date:

Investigation Duration: 0

Investigation Closed Date:

Total Time Spent: 0 Hrs. 0 Min.

Investigation Initiated By Person:

Total Expenses:

Investigation Comments:

Incident Number: INCD-2022-06-00114

Class/Category: 04. Property Damage/By Guest

Status: Open

Incident Controls

Incident Controls

Org Rollup Name

Org Level 1:

Org Level 2:

Org Level 3:

Org Level 4:

Access Level: Level 4

Status: Open

Disposition:

Expiry Date:

Locked: No

Archive (record not visible): No

Record Owner: Reynolds, Matthew

Incident Visibility

Owner Workgroup: Security

All Workgroups: None

Exceptions: Workgroup Name Record Rights



Incident Record Created By mreynolds, 6/20/2022 6:04 AM GMT

Last Modified By Mtammy, 7/11/2022 5:20 PM GMT

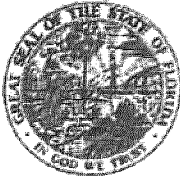
Owner Workgroup:
Security

Access Level:
Level 4

Local Print Date/Time:
7/6/2022 12:33 PM

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EXHIBIT #2
PAGE #8



**State of Florida
Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of Investigations**

PROPERTY RECEIPT

Complaint # 2022033282 Date 07/12/22 Lab # _____

Item No.	Quantity	Description
1	1	Thumbdrive Mark Byrd Song - Two (2) Incident #: 1) Flag Destruction 2) Chair Theft Big Easy Casino 6/19, 6/20

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

Signature _____

I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.

Signature - Impounding Investigator

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature _____

Date _____

Received by: _____ Date: _____
 Received by: _____ Date: _____
 Received by: _____ Date: _____

Copies for: File, Transmittal, Laboratory, Property Receipt



BIG EASY CASINO

Surveillance Department Property/Chain of Custody Receipt

Incident Report # (if applicable) <i>INCID 2022-06-00172</i>		Date/Time of occurrence <i>06/19/2022 10:43 PM</i>		Type of Incident <i>Theft</i>
		<i>06/20/2022 1:21 AM</i>		<i>Property Damage</i>
Surveillance Supervisor Name That Was On Duty: <i>Joanne Ferguson / David Ramirez</i>				
Item #	Quantity	Description		
	<i>1</i>	<i>Video of male guest stole chair - damaged flag</i>		
I hereby acknowledge that the above list represents all property taken from my possession.		I hereby acknowledge that the above list represents all property received by me in to the surveillance department.		
Supervisor Name <i>Nathan Kern</i>		Supervisor Name _____		
Supervisor Signature <i>Nathan Kern</i>		Supervisor Signature _____		
Received by: <i>[Signature]</i>	Reason: <i>Case</i>	Date/Time Received: <i>7/11/22 12:00</i>		

EXHIBIT # *3*
PAGE # *2*

Security Department Exclusion Log

Name	Race Gender	D.O.B	Address	Report #	Date	Type Of Exclusion	Photo Available
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
MARK A. BURLSON	W/M	4/01/95	2305 E. SARDIN DR #3 HOLLAND, FL 33024	9002-06- 0072	6/27/12	Lifetime/ Exclusion/Transmiss	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Supervisor Signature: _____

Date: _____

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Complaint Search Change Recording License Type Delete Complaint Mass Activity Update Mass Discipline Update
 Mass Status Update Public Case Info

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: icampbell

VR Home > Complaint Search > Maintain Complaint

Lic Type	1098 - Unlicensed Complaints	Status	20 Under Investigation	Status Date	07/11/2022
Complaint #	2022033282	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	BYRDSONG, MARK ALAN	Responsible	wsmith - SMITH, WILLIAM	Private Case

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	INTN - Internal	Security Level	1	<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
Form	INTR - Internal	Priority		<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Class'n	V-C - Cardroom Violations	Complexity	R - Regular		Violations	<input type="checkbox"/>	Compliance
Security	STND - Standard	Incident	06/20/2022	<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region	SR - Southern Region	Received	07/11/2022	<input type="checkbox"/>	Inspection		
Reference	550.0251(6)	Entered	07/11/2022		Costs		
Entered	07/11/2022	Entered By	icampbell		Time Tracking		Auto Assign
Summary	144 - 831 Federal Highway Acquisition, LLC - Prohibitions: On June 20, 2022 after playing Slot Blackjack and being dissatisfied with the outcome, a distressed BYRDSONG left the Big Easy Casino (BEC). As he exited he tore down an American Flag installed on the property. Subsequently on June 27, 2022 after playing Slot Blackjack, and again being dissatisfied with the outcome BYRDSONG exited the BEC property stealing a chair from the lobby area, loading it into and transporting it off property in his car. His actions were reported to police and he was lifetime excluded from the property.				<input type="checkbox"/>	Attachments	History
Updated	07/11/2022 13:09:05	By	icampbell		Work Notes		Print Report

Change	Save	OK	Cancel	Back
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STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

OPEN CASE REQUEST

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

INCIDENT DATE: JUNE 20, 2022 & JUNE 27, 2022

<input checked="" type="checkbox"/> PMW	<input type="checkbox"/> Cardroom	<input type="checkbox"/> Slot
---	-----------------------------------	-------------------------------

<input checked="" type="checkbox"/> Violation	<input type="checkbox"/> Incident	<input checked="" type="checkbox"/> Complaint
---	-----------------------------------	---

FACILITY NAME: THE BIG EASY LIC #: 144

RESPONDENT

NAME: <u>BYRDSONG, MARK ALAN</u>		
Address: <u>3305 EL JARDIN DRIVE APT. #3 HOLLYWOOD FL 33024</u>		Tel
LIC #: <u>N/A</u>	LIC TYPE: <u>N/A</u>	OCCUPATION: <u>UNKNOWN</u>

COMPLAINANT

NAME:		Tel #:
Address:		
LIC #:	LIC TYPE:	OCCUPATION:

VIOLATION(S) / TITLE(S): SPECIFIC RULE: Prohibitions

F.S.S. 16.712 Florida Gaming Control Commission authorizations, duties, and responsibilities.—

(1) The commission shall do all of the following:

(a) Exercise all of the regulatory and executive powers of the state with respect to gambling, including, without limitation thereto, pari-mutuel wagering, cardrooms, slot machine facilities, oversight of gaming compacts executed by the state pursuant to the Federal Indian Gaming Regulatory Act, and any other forms of gambling authorized by the State Constitution or law, excluding games authorized by s. 15, Art. X of the State Constitution.

F.S.S. 550.0251 (6) The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. –

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 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.

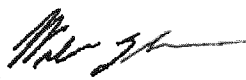
DESCRIPTION: On June 20, 2022 after playing Slot Blackjack and being dissatisfied with the outcome, a distressed **BYRDSONG** left the Big Easy Casino (BEC). As he exited he tore down an American Flag installed on the property. Subsequently on June 27, 2022 after playing Slot Blackjack, and again being dissatisfied with the outcome **BYRDSONG** exited the BEC property stealing a chair from the lobby area, loading it into and transporting it off property in his car. His actions were reported to police and he was lifetime excluded from the property.

CASE DETAILS FILED BY:

Chief Inspector Judge/Steward Investigator Other: _____
(Title of State Employee)

William Smith

(Print Name)



(Signature)

07-07-22

(Date)

Campbell, Ian

From: Jones, Bradford
Sent: Monday, July 11, 2022 11:25 AM
To: Muniz, Luz
Cc: Mahalingam, Rajani; Campbell, Ian; Smith, William; Kogan, Steven
Subject: OPEN CASE REQUEST
Attachments: OCR BYRDSONG BIG EASY THEFT.docx

Categories: To Be Completed

Hello Luz,

This is approved. Please open a case and assign to Bill Smith.

Thanks again!



FLORIDA
GAMING CONTROL
COMMISSION

Bradford D. Jones
Investigations Supervisor
Division of Pari-Mutual Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954.202.3900 • Fax: 954.202.3930

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<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	\$ _____

12/28/22

Postmark
Here

Del. 1/3/23

Mark Alan Byrdsong

602 South 24th Ave., Back Apt.

Hollywood, Florida 33020

AC – 2022033282 – PMW

PS Form 3800, April 2015 PSN 7530-02-000-9001 See Reverse for Instructions



Tracking Number:

Remove X

70202450000050964237

Copy

Add to Informed Delivery

(<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 12:25 pm on January 3, 2023 in HOLLYWOOD, FL 33020.

Feedback

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Delivered, Left with Individual

HOLLYWOOD, FL 33020

January 3, 2023, 12:25 pm

In Transit to Next Facility

January 2, 2023

Departed USPS Regional Facility

OPA LOCKA FL DISTRIBUTION CENTER

January 1, 2023, 12:44 am

Arrived at USPS Regional Facility

OPA LOCKA FL DISTRIBUTION CENTER

December 31, 2022, 11:21 am

Departed USPS Regional Facility

TALLAHASSEE FL DISTRIBUTION CENTER

December 30, 2022. 11:09 pm

● **Arrived at USPS Regional Facility**
TALLAHASSEE FL DISTRIBUTION CENTER
December 30, 2022, 12:20 am

● **Hide Tracking History**

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