

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

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

Petitioner,

v.

FGCC Case No.: 2022-042508

HECTOR REYNEL MARIANI GARCIA,

Respondent.

_____ /

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on February 8, 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 October 20, 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 November 2, 2022. 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 9TH day of FEBRUARY, 2023.

FLORIDA GAMING CONTROL COMMISSION



CLERK OF THE COMMISSION

On Behalf of

Michael Yaworsky, Vice-Chairman

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 9th day of FEBRUARY, 2023, a true and correct copy of this Final Order has been sent via U.S. Mail to:

Hector Reynel Mariani Garcia
1401 Bay Road, Apt. 210
Miami Beach, Florida 33139



CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier

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.: 2022-042508

HECTOR REYNEL MARIANI GARCIA,

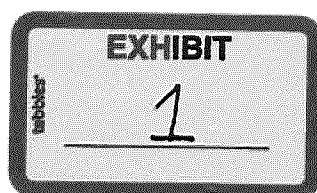
Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Hector Reynel Mariani Garcia (“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 1401 Bay Road, Apt. 210 Miami Beach, Florida 33139.
3. At all times material hereto, Hialeah Park 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 August 19, 2022, Respondent was a patron of Hialeah Park Casino.
5. On or about August 19, 2022, Respondent was ejected and permanently excluded from Hialeah Park 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 this state, the commission 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 commission. The commission 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 commission 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 commission. The commission 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 Hialeah Park Casino on or about August 19, 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 2022-042508 is signed this 19th day of October 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.

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

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

VR Home Complaint Search **Maintain Complaint**

Lic Type 1098 - Unlicensed Complaints		Status 90 Closed		Status Date 10/12/2022	
Complaint # 2022042508	Case Type CMP - Complaint	Disposition	Disposition Date		
Docket#	Respondent MARIANI GARCIA, HECTOR REYNEL	Responsible bjones - JONES, BRADFORD	Private Case		

Complaint	Re pondent	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 08/19/2022	<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Region SR - Southern Region	Received 08/31/2022				
Reference 61D-11.005(4)(a-c)		<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Di po ition
Entered 08/31/2022	Entered By Imuniz		Inspection		
<p>Summary</p> <p>544-South Florida Racing Assoc., LLC ----- / ----- . Prohibitions: On August 19, 2022, this investigator was informed by Hialeah Park Card room Director Angelo Garcia of an incident in which a patron was observed cheating. Garcia stated that the patron was caught "Capping" because he realized that he had a winning hand. Garcia advised that all documents and video has been saved for my review. On August 25, 2022, this investigator responded to Hialeah Park and obtained copies of the reports and video of the incident. Upon review of the video footage, it revealed that the patron identified as Hector Reynel Mariani Garcia was sitting at Poker Table #11, seat #1. While sitting and playing Poker at the table, Garcia was observed adding chips to an already placed bet in order to get a larger winning payout. This action is known as "Capping" which is a form of cheating. After reviewing the reports and video footage of the incident, an Open Case Request was sent to FGCC Investigations Supervisor Julio Minaya for review and approval.</p>			Costs		
			Time Tracking	<input type="checkbox"/>	Auto Assign
			Attachment	<input type="checkbox"/>	Hi tory
			Work Notes	<input type="checkbox"/>	Print Report
Updated 10/12/2022 10:44:48	By Imuniz				

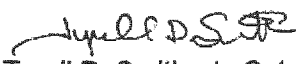


42	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: August 31, 2022	Case Number: 2022 04 2508
Respondent: MARIANI GARCIA, HECTOR REYNEL 1401 BAY RD APT# 210 MIAMI BAECH, FLORIDA 33139		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL (954) 202-3900	
License # and Type: N/A / 1098	Profession: Patron	Report Date: October 4, 2022	
Period of Investigation: August 31, 2022 through October 4, 2022		Type of Report: Final	
<p>Alleged Violation: Florida Administrative Code 61D-11.005 Prohibitions.</p> <p>(4) No person shall, either directly or indirectly:</p> <p>(a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.</p> <p>(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.</p> <p>(c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.</p>			
<p>Synopsis: On August 19, 2022, this Investigator was informed by Hialeah Park Racing & Casino Poker Director Angelo Garcia of an incident in which a patron was observed cheating. Garcia stated that the patron, Hector Reynel MARIANI GARCIA, was caught "Capping" his bet when he realized that he had a winning hand. Garcia advised that all documents and video related to this incident have been saved for my review.</p> <p>On August 25, 2022, this Investigator visited Hialeah Park and obtained copies of all reports and video footage related to this incident. Review of the video footage shows MARIANI GARCIA seated at Poker table #11, seat #1 playing a live poker game when he can be seen adding chips to an already placed bet in order to get a larger winning payout. This action is known as "Capping" which is a form of cheating.</p> <p>After reviewing the reports and video footage of the incident, an Open Case Request was submitted to Investigative Supervisor Julio Minaya for review and approval.</p>			
Related Case(s):			
Investigator / Date:  Tyrell D. Smith / October 4, 2022		Investigator Supervisor / Date  Julio Minaya / October 10, 2022	
Chief of Investigations / Date  Bradford D. Jones for Steven E. Kogan / October 11, 2022			

CONTINUATION

Further investigation into this matter and a review of Hialeah Park Security Incident Reports #IN20220001388, and #IN20220001386, revealed that on August 19, 2022, at approximately 2:07 A.M., **MARIANI GARCIA** was in the card room seated at table #11, seat #1. According to Report #IN20220001386, **MARIANI GARCIA** was observed by Poker Dealer Kay Morales, adding an additional \$200.00 in chips to his already placed \$500.00 bet. Morales notified Poker Manager Sander Reyes of the incident and at 2:17 A.M. Reyes requested a Surveillance review of the activity at table #11. The Report further states that after confirming that **MARIANI GARCIA** had "capped" his bet, Reyes escorted **MARIANI GARCIA** away from table #11 and a short time later **MARIANI GARCIA** returned five (5) Black chips valued at \$100.00 each and \$300.00 in cash totaling \$800.00 to Reyes who then had the total amount of \$800.00 returned to table #11's Designated Player Banker (**EXHIBIT # 1**).

As per Report #IN20220001388, on August 20, 2022, **MARIANI GARCIA** returned to the facility but was stopped by Security Supervisor Isaac Cortez who was dispatched to his location. Once Cortez made contact with him, **MARIANI GARCIA** was informed that he had been permanently excluded by the facility and was asked to leave. **MARIANI GARCIA** exited the facility without further incident (**EXHIBIT #2**).

On August 25, 2022, I reviewed the surveillance video footage of the incident. The following was noted:

Between 2:07:38 A.M. and 2:07:52 A.M., **MARIANI GARCIA** is observed sitting at Poker table #11, seat #1. He places (5) Black chips on top of the "ante" circle for a total of \$500.00. Dealer Morales is observed placing all (5) community cards on the board face down. Morales turns over the first (3) cards on the board, revealing an eight of diamonds, a two of diamonds and a nine of diamonds. After Morales revealed the cards, **MARIANI GARCIA** picks up his cards and looks at them; he is then observed placing two \$100.00 dollar Black chips in his right hand and concealing them behind the playing cards that he is holding in his left hand. He then places the two Black chips on top of his initial \$500.00 "ante" bet (which now totals \$700.00) and continues to play the hand unaware that the Designated Player Banker assigned to the table had observed him.

As the game continued, at 2:09 A.M., **MARIANI GARCIA** is observed handing the dealer \$2,100.00 in cash and the dealer gives back **MARIANI GARCIA** \$2,100.00 in black chips. **MARIANI GARCIA** then places the \$2,100.00 on the Flop 1-3x "play" bet which he is "allowed" to do based on his wrongfully increased "ante" wager.

At 2:16 A.M., the Designated Player Banker (later identified as Ayhman Sallam) can be seen speaking with his Supervisor and appears to be advising him of his suspicion. Although not captured on the video footage, the Surveillance Report notes that the Banker's Supervisor advised Poker Supervisor Reyes of Sallam's allegation.

At 2:18 A.M., Reyes is observed approaching table #11, and engaging **MARIANI GARCIA** in conversation. **MARIANI GARCIA** stands up and walks away from table #11 and both are observed talking to each other on the poker floor. However, **MARIANI GARCIA** is observed returning to table #11, where he remains seated while talking to Reyes.

CONTINUATION

At 2:30: A.M, **MARIANI GARCIA** is still seated at table #11 talking to Reyes when he is observed on video footage placing five (5) Black chips valued at \$100.00 each and \$300.00 in cash totaling \$800.00 on the table. Reyes is observed picking up the cash and the chips from the table. He then hands \$500.00 in chips to the Designated Player Banker at table #11, and gives the remaining \$300.00 in cash to Poker Supervisor Pedro Conception to exchange them from cash to chips. After making the exchange, Conception returned the \$300.00 now in chips to the Designated Player Banker at table #11.

At 2:37:33 A.M., **MARIANI GARCIA** was allowed to cash out his remaining chips. After doing so, he returned to the Card room and engaged Reyes in conversation.

At 2:45:13 A.M., after speaking with Reyes, **MARIANI GARCIA** is observed on video footage leaving the Card room and exiting the facility without further incident. Although the Incident report stated that Dealer Kay Morales observed the incident. Review of video footage by this Investigator confirmed that the individual who may have actually witnessed **MARIANI GARCIA** adding the extra chips to his bet was the Designated Player Banker.

After the incident, **MARIANI GARCIA** was presented with a Hialeah Park Exclusion Form which he refused to acknowledge or sign. After leaving the facility, he was placed on the facility B.O.L.O (Be on the Look Out) list pending review of the incident by Director of Poker, Angelo Garcia and Poker Manager, Adriana Jimenez.

On September 14, 2022, this investigator met with Poker Manager Adriana Jimenez who provided the name of Ayman Sallam as being the Designated Player Banker assigned to table #11 on August 19, 2022, and who may have witnessed **MARIANI GARCIA** capping his bet.

On September 15, 2022, this Investigator telephonically interviewed Sallam regarding this incident. Sallam stated that on the day of the incident he did not actually see **MARIANI GARCIA** put the extra chips on his original bet. However, he noticed a change in the bets that were originally placed on the table by **MARIANI GARCIA**. He asked Dealer Morales if she had noticed anything unusual regarding the bets. According to Sallam, Morales stated that she had not seen anything. The game then continued but Sallam still thought that "something wasn't right." After the game, Sallam stated that he informed his Supervisor about his suspicion, and suggested that the Poker Manager conduct a review of surveillance footage to ensure that "there was nothing going on." According to Sallam, his Supervisor advised Poker Supervisor Reyes of the incident and a Surveillance review was conducted. Sallam further stated that after the Surveillance review was completed, his suspicion that **MARIANI GARCIA** had added additional chips to his bet was confirmed. Sallam concluded by saying that **MARIANI GARCIA** was then approached by Poker Manager Reyes about "capping" his bet and **MARIANI GARCIA** agreed to return \$800.00 in chips back to the Designated Player Banker.

On September 19, 2022, this Investigator spoke to Poker Manager Reyes regarding this incident. Reyes confirmed that it was the Designated Player Banker who realized that **MARIANI GARCIA** had added extra chips to his bet and not the dealer as indicated in the Incident Report. Reyes further stated that when he confronted **MARIANI GARCIA** about the incident he denied it. However, for reasons unknown, **MARIANI GARCIA** then stated that if he had been seen adding chips it must have been a mistake. **MARIANI GARCIA** agreed to pay the money back and handed Reyes \$500.00 in chips and \$300.00 in cash which was all ultimately returned to table #11's Designated Player Banker. **MARIANI GARCIA** was then permanently excluded from the facility.

CONTINUATION

On October 10, 2022, I spoke to Hialeah Park Surveillance Director Paul Acolese in order to gain a better understanding as to why \$800.00 was returned to the Designated Player Banker. After viewing the footage, he stated that during the game and after the Flop, **MIRANI GARCIA** threw \$2,100.00 cash on the table and had the dealer exchange it for \$2,100.00 in black one-hundred dollar chips. **MIRANI GARCIA** then placed the \$2,100.00 in chips on top of the Flop 1-3x (1 to 3 times the original) "play" bet. Acolese explained that because the \$2,100.00 "play" bet was on the table, **MIRANI GARCIA** was paid out an extra \$100.00 totaling \$800 in winnings therefore; \$800.00 was the correct amount that was owed to the Designated Player Banker.

To further clarify, **MIRANI GARCIA's** "play" bet which should have been \$1,500.00 was wrongfully increased to \$2,100.00 or \$600.00 in excess of the proper wager. The combination of the \$200.00 "capping" of the "ante" wager and the \$600.00 excess on the "play" wager the means that the proper amount to be returned to the Designated Player was \$800.00.

Conclusion: Due to **MIRANI GARCIA's** actions he has been permanently excluded from Hialeah Park. Because he acted to intentionally engage in fraud or deceit with the intent of cheating a participant in a cardroom game he has committed a violation of F.A.C. 61D-11.005.

Status: Case closed by Investigations and forwarded to Legal for review.

CONTINUATION

TABLE OF CONTENTS

- I. INVESTIGATIVE REPORT COVERSHEET 1
- II. INVESTIGATIVE REPORT 2
- III. EXHIBITS
 - 1. Hialeah Park Surveillance Incident Report # IN20220001386 1-7
 - 2. Hialeah Park Security Incident Report # IN20220001388 1-4
 - 3. Hialeah Park Exclusion Form..... 1-1
 - 4. Property Receipt..... 1-2

Incident File Full Report



iTrak Incident Reporting and Risk Management System Version
2019.3.2.33901

Incident Number: IN20220001386
Date/Time Occurred: 8/19/2022 2:17:46 AM
Day of Week: Friday
Created by: wlantigua

Printed By: wlantigua

Printed On: 9/ 8/2022 at 11:03:30 AM

EXHIBIT # -/ |
PAGE # -/ |

Incident File Full Report

Incident File #IN20220001386

Date/Time Occurred:	8/19/2022 2:17:46 AM	Record Creation Details	
Day of Week Occurred:	Friday	Department:	Surveillance
Date/Time Created:	8/19/2022 3:41:34 PM	Owner:	wiantigua
Date/Time Closed:		Operator ID:	wiantigua
Closed By:		Operator Name:	
		Personnel ID:	
		Card Number:	
		Job Position:	
		Secondary Operator:	

Location of Incident:

Property: Hialeah Park Casino
Location: Poker Room
Sublocation: Table 11

Details of Incident:

Daily Log #: DL20220025924
Incident Type: Cheat at play
Specific: Poker game
Incident Status: Open
Synopsis: Poker Manager Sander Reyes requested a review to determine if player #1 from table #11 added \$200.00 to his bet after the hand had started. A review was conducted and showed at 0207 hours, player #1 adds (2) black chips onto his front bet of \$500.00 after the first 3 community cards were revealed. Reyes was advised. Patron later paid back the money he owed to the DP. Nothing further was observed.

cam 2011

Checklist:

Narrative:

Created On	Created By	Modified On	Modified By
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8/19/2022 3:41:35 F	wiantigua	8/23/2022 9:32:00 A	wiantigua
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On 19 August 2022, at approximately 0217 hours, Poker Shift Manager █████ Reyes requested a review to determine if player #1, later identified as █████ Mariani Garcia (#244098) from table #11 added chips onto his bet after the game had started. A review was conducted and the following was observed on camera(s) 2011, 259, 323, 261 and 252:

At 0207 hrs, Mariani is observed placing (5) black chips on top of the "ante" circle on table #11 for a total of \$500.00. Poker Dealer █████ Morales is observed placing all (5) community cards on the board face down. Morales turns over the first (3) cards on the board, revealing an eight of diamonds, two of diamonds and a nine of diamonds. After Morales reveals the cards, Mariani grabs his cards, looks at them, then adds (2) black

Reporting Party:

Supervisor: EXHIBIT # 1
PAGE # 2

Incident File Full Report

Incident File #IN20220001386

chips on top of his initial ante bet. Mariani waits for Reyes to walk away from the table before adding his chips.

At 0209 hrs, Mariani hands Morales \$2,100.00 in cash. Morales gives back \$2,100.00 in black chips. Mariani is observed placing the \$2,100.00 on the Flop 1-3x bet.

At 0216 hrs, Reyes is informed of the findings at table #11.

At 0218 hrs, Reyes is observed approaching Mariani at table #11 and pulls him away from the table to speak with him in regards to the violation of house rules.

At 0230 hrs, Mariani hands Reyes \$500.00 in black chips and \$300.00 in cash. Reyes hands the (5) black chips to the Designated Player (DP) and hands the \$300.00 in cash to Poker Supervisor Pedro Conception.

At 0231 hrs, Conception is observed approaching the poker cashier's cage, window #2 and hands Cage Supervisor [REDACTED] Tarez \$300.00 in cash to exchange for chips. Tarez pays out (3) black chips. Conception walks back to table #11 where ha hands the remaining (3) black chips to the DP.

At 0236 hrs, Mariani is observed picking up all his poker chips, placing them on a rack and stepping away from the table.

At 0237 hrs, Mariani is observed approaching the poker cashier's cage, window #4 and hands Cage Cashier [REDACTED] Herrera \$5,165.00 in chips. Herrera pays out \$5,165.00 in cash.

At 0242 hrs, Mariani walks over to Reyes who was standing by the supervisor's podium next to table #12. Reyes and Mariani speak momentarily before Mariani walks away.

At 0245 hrs, Mariani walks out through the north poker doors.

Reyes later informed that Mariani will become a B.O.L.O. pending Director of Poker [REDACTED] Garcia's final verdict on the incident. Reyes later informed that after Garcia and Poker Manager [REDACTED] Jimenez reviewed the video, Mariani will be permanently excluded from Hialeah Park Casino and it's poker room for violation of house and state rules should he return to property. Nothing further was observed, video saved.

On 20 August 2022 at approximately 1239 hrs, It was reported that Mariani was on the poker floor. Visual was established and the following was observed. (Cam 260,17,236,237)

At 1240 hrs, Security supervisor [REDACTED] Cortez is observed arriving to poker room and talking to Mariani.

At 1241 hrs Cortez is observed escorting Mariani through North poker exit. Mariani leaves property via north parking lot.

EXHIBIT # -1
PAGE # -3

Reporting Party:

Supervisor:

Incident File Full Report

Incident File #IN20220001386

Nothing further to report. Video saved.

Executive Brief:

Participants Involved:

Personnel

Full Name:	[REDACTED]	Property: Hialeah Park Casino
Role:	Cage Cashier	Department:
Full Name:	[REDACTED]	Property: Hialeah Park Casino
Role:	Cage Supervisor	Department:
Full Name:	[REDACTED]	Property: Hialeah Park Casino
Role:	Poker CSL	Department:
Full Name:	[REDACTED]	Property: Hialeah Park Casino
Role:	Poker Manager	Department:
Full Name:	[REDACTED]	Property: Hialeah Park Casino
Role:	Poker Manager, Witness	Department:
Full Name:	[REDACTED]	Property: Hialeah Park Casino
Role:	Poker Supervisor, Witness	Department:
Full Name:	[REDACTED]	Property: Hialeah Park Casino
Role:	Security Supervisor, Responder	Department:

Subject

Full Name:	Mariani, Hector	Company:
Role:	Patron	

EXHIBIT # - 1
PAGE # - 4

Reporting Party:

Supervisor:

Media Title

4

Original Filename

UploadedFile_4304e2fc-
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Date Attached

8/20/2022 1:55:52 AM

Attached By

fsoza

Type

JPG

Size

67715



Media Title

2

Original Filename

UploadedFile_7038010a-
3631-4c05-a03b-
ffa052b73799.jpg

Date Attached

8/20/2022 1:55:24 AM

Attached By

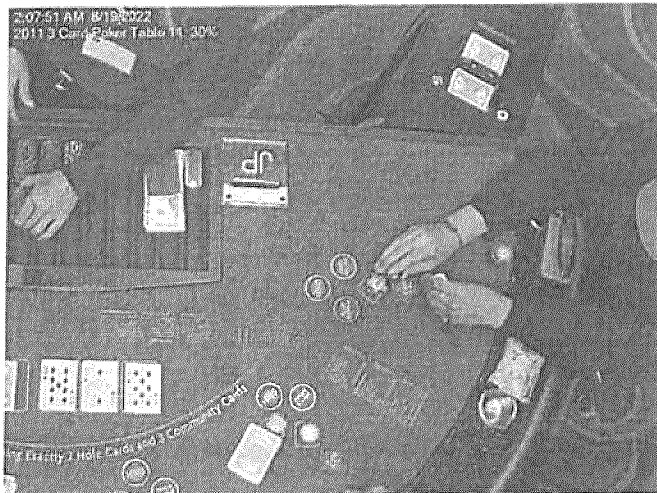
fsoza

Type

JPG

Size

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9/8/2022 11:03:31 AM

Page 1/3

EXHIBIT # -1
PAGE # -5

Media Title

2

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Date Attached

8/20/2022 6:16:02 PM

Attached By

gurquijo

Type

JPG

Size

33790



Media Title

1

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Date Attached

8/20/2022 6:15:54 PM

Attached By

gurquijo

Type

JPG

Size

38539



9/8/2022 11:03:31 AM

Page 2/3

EXHIBIT # - 1
PAGE # - 6

Media Title

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8/20/2022 1:55:39 AM

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Media Title

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Date Attached

8/20/2022 1:55:10 AM

Attached By

fsoza

Type

JPG

Size

410397



EXHIBIT # -1
PAGE # -7

9/8/2022 11:03:31 AM

Page 3/3

EXHIBIT #
PAGE #

Incident File Full Report

Incident File #IN20220001388

Date/Time Occurred:	8/19/2022 2:09:00 PM	Record Creation Details	
Day of Week Occurred:	Friday	Department:	Security Dept
Date/Time Created:	8/19/2022 5:04:23 PM	Owner:	icortez
Date/Time Closed:		Operator ID:	icortez
Closed By:		Operator Name:	
		Personnel ID:	
		Card Number:	
		Job Position:	
		Secondary Operator:	

Location of Incident:

Property:	Hialeah Park Casino
Location:	Poker Floor
Sublocation:	Poker Table#11 Seat#1

Details of Incident:

Daily Log #:	DL20220026012
Reference:	Poker Exclusion
Incident Type:	EXCLUSION
Specific:	Exclusion
Category:	Exclusion
Incident Status:	Open
Synopsis:	Poker guest Hector Garcia Mariani was advised he will be Permanently excluded for a Poker gaming violation, while playing at Table #11 Seat #1.

Checklist:

Narrative:	Created On	Created By	Modified On	Modified By
-------------------	-------------------	-------------------	--------------------	--------------------

8/19/2022 5:04:24 F icortez	8/21/2022 6:15:54 F jramirez
-----------------------------	------------------------------

At 2:09 AM, Poker player Mr. [REDACTED] Garcia Mariani was playing at the Poker Floor, Table #11 Seat #1. While at said table, he was observed by Poker Dealer [REDACTED] Morales and Poker Supervisor [REDACTED] Reyes adding 2 black chips to his original ante bet after looking at his cards. Once he realized he had a winning hand, he doubled his ante bet to \$2000k on the flop bet. Mr. Mariani acct#244098 was advised by poker management that he is no longer allowed on Hialeah Park property and excluded from the poker room. A BOLO warning was also added to his account should he attempt to return. Nothing Further.

Updated on 08/20/22 -
Poker Supervisor Raquel Morales contacted Security Dispatch regarding a possible Excluded guest on property. I, Security Supervisor [REDACTED] Cortez responded to the

EXHIBIT # 2
PAGE # 1

Reporting Party:

Supervisor:

Incident File Full Report

Incident File #IN20220001388

location. Upon arrival, I made contact with Mr. Mariani and explained to him that he was actively on file as a permanently excluded guest and was advised to leave the property or possibly face arrest. He then left without incident. surveillance was also advised. Two additional photos were added on 08/20/22. Nothing further.

Executive Brief:

Participants Involved:

Personnel

Full Name: [REDACTED] Property: Hialeah Park Casino
Role: Poker Dealer Department:

Date Of Birth:

Full Name: [REDACTED] Property: Hialeah Park Casino
Role: Poker Supervisor Department:

Date Of Birth:

EXHIBIT # -2
PAGE # -2

Reporting Party:

Supervisor:

Media Title

1

Original Filename

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Date Attached

8/19/2022 5:11:28 PM

Attached By

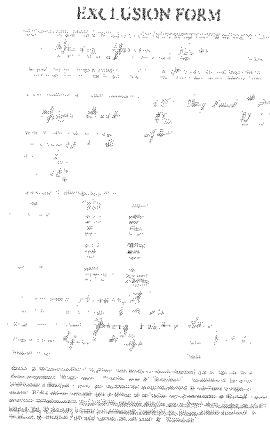
icortez

Type

JPG

Size

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Media Title

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Original Filename

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Date Attached

8/20/2022 6:22:56 PM

Attached By

icortez

Type

JPG

Size

33790



8/21/2022 6:30:59 PM

Page 1/2

EXHIBIT # -2
PAGE # -3

Media Title

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Date Attached

8/19/2022 5:05:57 PM

Attached By

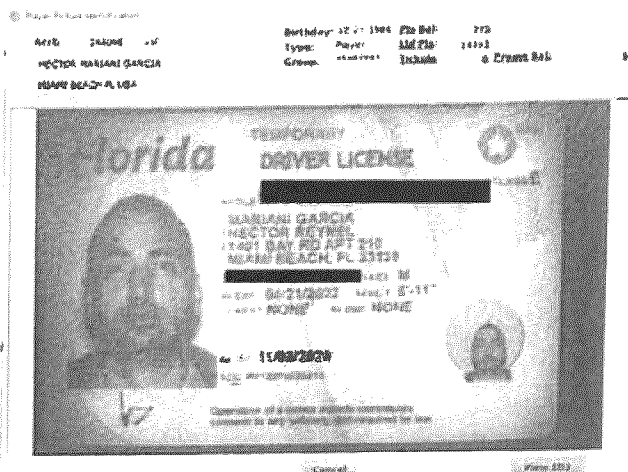
icortez

Type

PNG

Size

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Media Title

3

Original Filename

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Date Attached

8/20/2022 6:22:43 PM

Attached By

icortez

Type

JPG

Size

38539



8/21/2022 6:30:59 PM

Page 2/2

EXHIBIT # -2
PAGE # -4

EXCLUSION FORM

(IMPRIMA O ESCRIBA LAS RESPUESTAS A LO SIGUIENTE EN LOS ESPACIOS PROPORCIONADOS)

1. NAME: Martani Garcia Hector
LAST (INCLUDE SR., JR., ETC., IF APPLICABLE) FIRST MIDDLE
2. DO YOU USE ANY OTHER NAME(S)? YES NO IF YES, LIST THE ADDITIONAL NAME(S) BELOW (INCLUDE MAIDEN NAME, ALIASES, NICKNAMES OR ANY OTHER NAME(S)):
3. HOME ADDRESS OR CURRENT RESIDENCE: 1401 Bay Road # 210
Miami Beach FL 33139
CITY STATE ZIP CODE
4. HOME TELEPHONE OR CELL NUMBER: N/A
5. DATE OF BIRTH: [REDACTED]
6. HEIGHT: 5' 11"
FT-IN
7. WEIGHT: 185
LBS

PLEASE CIRCLE APPROPRIATE ANSWER:

- | | | |
|----------------|---------------------------------------|---|
| GENDER: | <input checked="" type="radio"/> MALE | <input type="radio"/> FEMALE |
| 8. HAIR COLOR: | BLACK
BLOND
GRAY
BALD | <input checked="" type="radio"/> BROWN
<input type="radio"/> RED
<input type="radio"/> WHITE
<input type="radio"/> OTHER |
| 9. EYE COLOR: | BLACK
HAZEL
GRAY | <input checked="" type="radio"/> BROWN
<input type="radio"/> BLUE
<input type="radio"/> GREEN |
| 10. BODY TYPE: | SHORT
OVERWEIGHT
HEAVYSET | TALL
SLENDER
<input checked="" type="radio"/> AVERAGE |

11. EXCLUSION PERIOD: Permanent
 12. EFFECTIVE DATE OF EXCLUSION: 8.19.22
 13. REASON FOR EXCLUSION: Gaming Violation Poker
- Firma del Cliente: Respect to Sign Fecha: 8.19.22
 Firma del Tesigo: _____ Fecha: _____

Relieve de Responsabilidad: Al firmar esta forma el cliente entiende que al regresar el/ella a la propiedad, "Poker room", "Casino" area de "Simulcast" o cualquiera de las areas pertinentes a Hialeah Casino, que incluyen los estacionamientos se expondra a traspaso o arresto. El/La cliente entiende que al firmar dicha forma todo promociones de Hialeah Casino terminen inmediatamente. El/La Cliente tambien entiende que al firmar dicha forma, no tendra ningun tipo de derecho a pagos por ganancias o perdidas por juegos durante su periodo de exclusion de Hialeah Park and Casino, lvo sus areas de "Simulcast"



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

PROPERTY RECEIPT

Complaint # 2022-04-2508 Date 8-25-22 Lab # _____

Item No.	Quantity	Description
1	1	USB WITH VIDEO FOOTAGE OF RAPPING INCIDENT HECTOR REYNEL MARIANI GARCIA.

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]
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]
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

**EXHIBIT # -4
PAGE # -1**



Hialeah Park Casino Evidence Receipt

Date: 8-25-22 Time: 10:00 am

Name: Tyrell Smith

Incident Report #: IN2022 0001386

No. of Copies: 1 USB containing report/video/pictures

Signature: [Signature]

EXHIBIT # -4
PAGE # -2

FAQ | Help | Sign Out

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Complaint Search Update	Change Mass Status Update	Recording 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: Imuniz


VR Home > Complaint Search > Maintain Complaint

Lic Type	1098 - Unlicensed Complaints	Status	20 Under Investigation	Status Date	08/31/2022
Complaint #	2022042508	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	MARIANI GARCIA, HECTOR REYNEL	Responsible	tsmith2 - SMITH, TYRELL	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	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance	
Security	STND - Standard	Incident	08/19/2022	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition	
Region	SR - Southern Region	Received	08/31/2022	<input type="checkbox"/> Inspection		
Reference	61D-11.005(4)(a-c)			<input type="checkbox"/> Costs		
Entered	08/31/2022	Entered By	Imuniz	<input type="checkbox"/> Time Tracking	Auto Assign	
Summary	<p>544-South Florida Racing Assoc., LLC ----- / ----- . Prohibitions: On August 19, 2022, this investigator was informed by Hialeah Park Card room Director [REDACTED] Garcia of an incident in which a patron was observed cheating. Garcia stated that the patron was caught "Capping" because he realized that he had a winning hand. Garcia advised that all documents and video has been saved for my review. On August 25, 2022, this Investigator responded to Hialeah Park and obtained copies of the reports and video of the incident. Upon review of the video footage, it revealed that the patron identified as Hector Reynel Mariani Garcia was sitting at Poker Table #11, seat #1. While sitting and playing Poker at the table, Garcia was observed adding chips to an already placed bet in order to get a larger winning payout. This action is known as "Capping" which is a form of cheating. After reviewing the reports and video footage of the incident, an Open Case Request was sent to FGCC Investigations Supervisor [REDACTED] Minaya for review and approval.</p>				<input type="checkbox"/> Attachments	History
Updated	08/31/2022 12:57:46	By	Imuniz	<input type="checkbox"/> Work Notes	Print Report	

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="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: August 19, 2022

PMW Cardroom Slot

Violation Incident Complaint

FACILITY NAME: South Florida Racing Associates LLC (Hialeah Park) **LIC #:** 544

RESPONDENT

NAME: Hector Reynel Mariani Garcia		
Address: 1401 Bay Road, Apt # 210, Miami Beach, Florida 33139		Tel
LIC #: N/A	LIC TYPE: 1098	OCCUPATION: Patron

COMPLAINANT

NAME: South Florida Racing Associates LLC. (Hialeah Park)		Tel #:
Address: 100 East 32 nd Street, Hialeah, FL 33013		
LIC #: 544	LIC TYPE: 1002	OCCUPATION: Permit Holder

VIOLATION(S) / TITLE(S): 61D-11.005 Prohibitions.

- (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.

DESCRIPTION: On August 19, 2022, this investigator was informed by Hialeah Park Card room Director [REDACTED] Garcia of an incident in which a patron was observed cheating. Garcia stated that the patron was caught "Capping" because he realized that he had a winning hand. Garcia advised that all documents and video has been saved for my review.

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After reviewing the reports and video footage of the incident, an Open Case Request was sent to FGCC Investigations Supervisor Julio Minaya for review and approval.

CASE DETAILS FILED BY:

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

[REDACTED] Smith
(Print Name)

[Signature]
(Signature)

August 25, 2022
(Date)



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

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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 \$ _____

Total Postage \$ _____

Sent To _____

Street and/or _____

City, State, and ZIP+4® _____

Hector Reynel Mariani Garcia
1401 Bay Road, Apt. 210
Miami Beach, Florida 33139
AC - 2022042508 - PMW

Postmark Here

10-26-22

PS Form 3800, April 2015 PSN 7530-02-200-9047 See Reverse for Instructions

7200 2450 0000 5096 4077

Tracking Number:

Remove X

70202450000050964077

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Delivered

Delivered, Left with Individual

MIAMI BEACH, FL 33139

November 2, 2022, 12:58 pm

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