

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.: 2022-045861

KEVIN JERMAIN RAMOS,

Respondent.

**FINAL ORDER**

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on December 6, 2023, for final agency action pursuant to sections 120.569 and 120.57(2), Florida Statutes. After a complete review of the record 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 January 26, 2023, 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 pursuant to sections 550.0251(6) and 551.112, Florida Statutes, and alleging a violation of sections 550.105(5)(b), 550.105(10)(d), 551.107(6)(a), and 849.086(6)(g), Florida Statutes, and rules 75-11.005(4), and 75-11.011, Florida Administrative Code. A copy of the Administrative Complaint is attached hereto as Exhibit "1" and incorporated by reference.

2. The Commission attempted to personally serve Respondent with the Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter via certified mail and hand service, but these attempts were unsuccessful.

3. A publication notice was posted in the Broward County Daily Business Review starting on September 15, 2023. This publication complied with the notice requirements enumerated in section 120.60(5), Florida Statutes. Respondent failed to respond to the notice before the published deadline of October 13, 2023. Proof of service is attached hereto as Exhibit “2” and incorporated by reference.

4. Petitioner informed Respondent that the failure to contact the Florida Gaming Control Commission prior to the published deadline would be deemed a waiver of the right to a hearing.

5. Respondent has not filed a timely response to the publication notice. 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 publication notice, along with Respondent’s failure to respond, and being otherwise fully advised in the premises, it is hereby

**ORDERED and ADJUDGED:**

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

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

3. Respondent’s Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License number 11916424 is hereby **REVOKED**.

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

**DONE AND ORDERED** this 6<sup>th</sup> day of DECEMBER, 2023.

FLORIDA GAMING CONTROL COMMISSION



**CLERK OF THE COMMISSION**

*On Behalf of*

Julie Brown, Vice-Chair

John D'Aquila, Commissioner

Charles Drago, Commissioner

Tina Repp, Commissioner

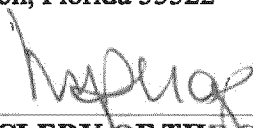
NOTICE OF RIGHT TO APPEAL

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, 4070 Esplanade Way, Tallahassee, Florida 32399 (Email: [clerk@flgaming.gov](mailto:clerk@flgaming.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 6<sup>th</sup> day of DECEMBER, 2023, a true and correct copy of this Final Order has been sent via U.S. Mail to:

**Kevin Jermain Ramos**  
1458 Northwest 81st Terrace  
Plantation, Florida 33322

  
\_\_\_\_\_  
**CLERK OF THE COMMISSION**  
Florida Gaming Control Commission

CC: Ebonie Lanier

**FILED**  
FLORIDA GAMING CONTROL COMMISSION  
Date: 1/26/2023  
File Number: \_\_\_\_\_  
BY: MELBA L. APELLANIZ  
CLERK OF THE COMMISSION

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

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

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FGCC Case No.: 2022-045861

KEVIN JERMAIN RAMOS,

Respondent.

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Kevin Jermain Ramos (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License, number 11916424-1055, issued by Petitioner.
3. At all times material hereto, Casino Miami, LLC was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.

COUNT I

4. Petitioner realleges and adopts paragraphs numbered one, two, and three as if set forth fully herein.



5. On or about September 2, 2022, Respondent was permanently excluded from Casino Miami, LLC.

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 Casino Miami, LLC, on or about September 2, 2022.

#### COUNT II

10. Petitioner realleges and adopts paragraphs numbered one, two, and three as if set forth fully herein.

11. On or about August 14, 2022, August 18, 2022, August 26, 2022, August 28, 2022, and September 2, 2022, Respondent was seen via surveillance footage removing money from Ticket Redemption Units cassettes. Respondent was also seen documenting the incorrect amounts on the ticket redemption unit cassette control log.

12. Rule 61D-11.005(4), Florida Administrative Code, provides, in pertinent part, that “[n]o person shall, either directly or indirectly (a) [e]mploy or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.”

13. Based on the foregoing, Respondent violated rule 61D-11.005(4), Florida Administrative Code, by employing a device, scheme, or artifice to defraud the cardroom operator.

#### COUNT III

14. Petitioner realleges and adopts paragraphs numbered one, two, and three as if set forth fully herein.

15. On or about September 2, 2022, Respondent was arrested for Grand Theft.

16. Respondent failed to provide written notification to Petitioner within five days of his September 2, 2022 arrest.

17. Rule 61D-11.011, Florida Administrative Code, states:

Any cardroom occupational licensee shall provide written notification to the division when the licensee has been arrested, indicted, or charged in any other way with a criminal offense within five days of the arrest, or if not arrested, within five days of the



receipt of a charging document. Licensees are not required to report non-criminal traffic offenses.

18. Based on the foregoing, Respondent violated rule 61D-11.011, Florida Administrative Code, by failing to provide written notification to Petitioner within five days of his September 2, 2022 arrest.

#### COUNT IV

19. Petitioner realleges and adopts paragraphs numbered one, two, and three as if set forth fully herein.

20. On or about September 3, 2022, Respondent was convicted of Grand Theft, a felony, in Miami-Dade County, Florida, in case number 13-2022-MM-017604-0001-XX.

21. Pursuant to section 550.105(5)(b), Florida Statutes:

The division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the division governing the conduct of persons connected with racetracks and frontons. In addition, the division may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

22. Pursuant to section 551.107(6)(a), Florida Statutes:

The commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with slot machine gaming. In addition, the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee has been

convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state that would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.

23. Pursuant to section 849.086(6)(g), Florida Statutes:

The commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.

24. Section 550.105(5)(d), Florida Statutes, provides the term “convicted” means “having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.”

25. Based on the foregoing, Respondent is subject to revocation pursuant to sections 550.105(5)(b), 551.107(6)(a), and 849.086(6)(g), Florida Statutes.

#### COUNT V

26. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.

27. Respondent failed to notify Petitioner within 48 hours of his September 3, 2022 conviction for Grand Theft in Miami-Dade County, Florida.

28. Pursuant to section 550.105(10)(d), Florida Statutes, each licensee shall inform the Commission, within 48 hours, “if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.”

29. Based on the foregoing, Respondent violated section 550.105(10)(d), Florida Statutes, by failing to inform the Commission of his September 3, 2022 conviction for a disqualifying offense within 48 hours.

WHEREFORE, Petitioner respectfully requests the 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, revoking Respondent's Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License, along with any other remedy provided by chapters 550, 551, and 849, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-045861 is signed this 25th day of January, 2023.

*/s/ Emily A. Alvarado*

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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.

NOTICE OF ACTION

BEFORE THE DIVISION OF PARI-MUTUEL WAGERING

IN RE: Violation of sections 550.0251(6), 550.105(5)(b), 550.105(10)(d), 551.10(6)(a), 551.112, 849.086(6)(g), Florida Statutes, and rules 75-11.005(4) and 75-11.011.

KEVIN JERMAIN RAMOS  
1458 NW 81<sup>st</sup> Terrace  
Plantation, Florida 33322

CASE NO.: 2022-045861

LICENSE NO.: 11916424

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, FL 32399, (850) 794-8072.

If no contact has been made by you concerning the above by Friday, October 13, 2023, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.



**Public Notice Order Confirmation**

Ad Text

This is not an invoice

**Daily Business Review**

Zone: Florida - Broward

Ad Order #: 0000683341

Account #: 9059304

Acct Name: FLORIDA GAMING CONTROL COMMISSION

PO #: 2022-045861

Phone: 850-717-1663

Placement: Other Notices

Position: Miscellaneous / Other Notices

Ad Size: 4.85 inches

Run Dates: 09/15, 09/22, 09/29, 10/06

Firm Internal #:

PO# 2:

Amount Due: 292.60