

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

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

v.

FGCC Case No.: 2022-052195

YOKESHIA ETHRIDGE,

Respondent.

_____ /

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on June 8, 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 December 5, 2022, alleging that Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities in the state of Florida pursuant to sections 550.0251(6), Florida Statutes. 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 Pinellas County Business Observer starting on April 7, 2023, April 14, 2023, April 21, 2023, and April 28, 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 May 5, 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:

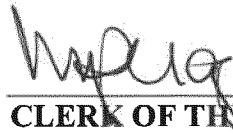
1. The allegations of fact and the conclusions of law in the Administrative Complaint are adopted in their entirety herein.

2. Respondent is hereby **PERMANENTLY EXCLUDED** from all pari-mutuel facilities 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 JUNE, 2023.

FLORIDA GAMING CONTROL COMMISSION



CLERK OF THE COMMISSION

On Behalf of

Charles "C.B." Upton, Chairman

Julie Brown, Vice-Chairwoman

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, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202 (Email: 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 9th day of JUNE, 2023, a true and correct copy of this Final Order has been sent via U.S. Mail to:

Yokeshia Ethridge
P.O. Box 35490
St. Petersburg, Florida 33705

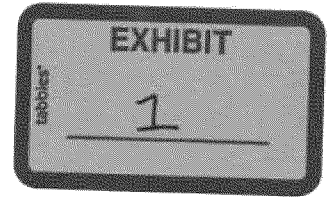


CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier

FILED
FLORIDA GAMING CONTROL COMMISSION
12/05/2022
Date: _____
File Number: _____
BY: MELBA L. APPELLANIZ
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,

Petitioner,

v.

FGCC Case No.: 2022-052195

YOKESHIA ETHRIDGE,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

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

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to Chapters 550 and 849, Florida Statutes.
2. At all times material hereto, St. Petersburg Kennel Club, Inc. was a facility operated by a permitholder authorized to conduct pari-mutuel wagering and cardroom operations in the State of Florida.
3. On or about October 14, 2022, Respondent was a patron of St. Petersburg Kennel Club, Inc..
4. On or about October 14, 2022, Respondent was ejected and permanently excluded from St. Petersburg Kennel Club, Inc..
5. Respondent was permanently excluded for the reasons alleged in Exhibit 1.
6. 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).

7. 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 Section 550.0251(6), Florida Statutes based on her ejection from St. Petersburg Kennel Club, Inc. on or about October 14, 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 Chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-052195 is signed this 2nd day of December 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.

Serial Number
23-01510N

Business Observer

Published Weekly
Clearwater, Pinellas County, Florida

COUNTY OF PINELLAS

STATE OF FLORIDA

Before the undersigned authority personally appeared Kelly Martin who on oath says that he/she is Publisher's Representative of the Business Observer a weekly newspaper published at Clearwater, Pinellas County, Florida; that the attached copy of advertisement,


being a Notice of Action

in the matter of Violation of Section 550.0251(6); Case No.: 2022-052195; License No.: N/A

in the Court, was published in said newspaper by print in the issues of 4/7/2023, 4/14/2023, 4/21/2023, 4/28/2023

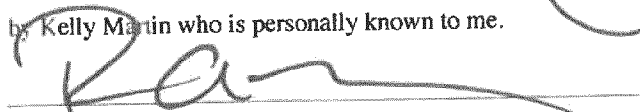
Affiant further says that the Business Observer complies with all legal requirements for publication in chapter 50, Florida Statutes.

*This Notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.


Kelly Martin

Sworn to and subscribed, and personally appeared by physical presence before me,
28th day of April, 2023 A.D.

by Kelly Martin who is personally known to me.


Notary Public, State of Florida
(SEAL)



Pamela A. Nelson
Comm.: HH 277515
Expires: Aug. 23, 2026
Notary Public - State of Florida

NOTICE OF ACTION
BEFORE THE DIVISION OF
PARI-MUTUEL WAGERING
IN RE: Violation of Section
550.0251(6), Florida Statutes.

YOKESHIA ETHRIDGE
PO Box 35490
St. Petersburg, Florida 33705

CASE NO.: 2022-052195

LICENSE NO.: N/A

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, 2601 Blair Stone Road, Tallahassee, FL 32399, (850) 717-1663.

If no contact has been made by you concerning the above by Friday, May 5, 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) 287-6027; 1-890-
N99910-23

