

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING

Petitioner,

v.

ANTWAN BRADLEY,

FGCC Case No.: 2023-037698

Respondent.

_____ /

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on January 11, 2024, 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:

FINDINGS OF FACT

The Findings of Fact contained in the Recommended Order are hereby adopted as the Findings of Fact of the Commission.

CONCLUSIONS OF LAW

The Conclusions of Law contained in the Recommended Order are hereby adopted as the Conclusions of Law of the Commission.

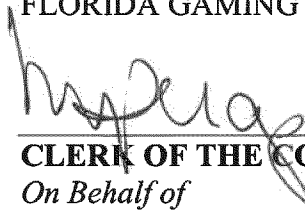
ORDERED and ADJUDGED:

1. The Hearing Officer's Recommended Order is adopted in full.
2. 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 11th day of JANUARY, 2024.

FLORIDA GAMING CONTROL COMMISSION



CLERK OF THE COMMISSION

On Behalf of

Julie I. Brown, Vice-Chair

Charles Drago, Commissioner

John D'Aquila, Commissioner

Tina Repp, Commissioner

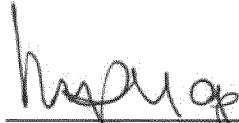
NOTICE OF RIGHT TO APPEAL

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), 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 11th day of JANUARY, 2024, a true and correct copy of this Final Order has been sent via U.S. Mail to:

Antwan Bradley
1847 Northwest 43rd Street
Miami, Florida 33142



CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier

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

FILED	
FLORIDA GAMING CONTROL COMMISSION	
Date:	1/10/2024
File Number:	_____
BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION	

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

Petitioner,

v.

FGCC Case No.: 2023-037698

ANTWAN BRADLEY,

Respondent.

HEARING OFFICER'S RECOMMENDED ORDER

THIS MATTER came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on October 12, 2023, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of the Commission's Administrative Complaint filed against Antwan Bradley ("Respondent"), in FGCC Case Number 2023-037698 ("Administrative Complaint"). The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about August 24, 2023, the Commission filed an Administrative Complaint against Respondent alleging that on or about July 1 to July 2, 2023, Respondent was a patron at Calder Casino, that Respondent was permanently excluded from Calder Casino, and 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.

2. On or about September 6, 2023, Respondent requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

The October 12, 2023, Informal Hearing

3. At the informal hearing on October 12, 2023, the Commission presented the issues raised in its Administrative Complaint. The Hearing Officer granted the Commission's motion to accept the Findings of Fact in the Administrative Complaint as the undisputed facts in the case and accepted the investigative packet into the record.

4. The investigative packet that was admitted into the record contained an Incident Detail Report setting out the events leading up to Respondent's exclusion from Calder Casino.

5. The Incident Detail Report includes a narrative report of video footage of Respondent and another patron swapping cards to improve their hands and capping bets, a type of cheating.

6. The Incident Detail Report states that an independent review of surveillance footage shows that Respondent and the other patron were using a food container to conceal the swapping of cards.

7. At the hearing, Respondent testified about the events that surrounded his exclusion from Calder Casino:

- a. Respondent testified that a lot of things were left out of the investigative packet.
- b. Respondent testified that certain dealers allowed him and the other patron to cap bets and exchange cards.

- c. Respondent testified that a dealer allowed Respondent and the other patron to swap cards, saying, "Hurry up and switch it."
- d. Respondent testified that he has been going to Calder Casino for years, and that they were not allowed to swap cards all the time, but a particular dealer allowed them to swap cards a couple of times a night.
- e. Respondent testified that he did not know that switching cards was not a prohibited act because he never switched cards at another casino.
- f. When asked about using a food container to conceal the swapping of cards, Respondent said that he didn't recall doing that and that food was not supposed to be on the table.
- g. Respondent testified that the dealer at one point saw them swapping cards and told them that they couldn't do that, and at that point, they were asked to leave the Casino.

FINDINGS OF FACT

8. At all times material hereto, Calder Casino was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.

9. On or about July 1 and July 2, 2023, Respondent was a patron of Calder Casino and was ejected from Calder Casino.

10. On or about July 5, 2023, Respondent was permanently excluded from Calder Casino.

CONCLUSIONS OF LAW

11. The Hearing Officer has jurisdiction over this matter and the parties pursuant

to section 120.57(2), Florida Statutes.

12. The Commission has jurisdiction over this matter pursuant to chapters 120, 550, and 551, Florida Statutes.

13. At all times material, Calder Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, cardroom, and slot machine operations in the State of Florida.

14. 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 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).

15. 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).

16. Respondent was a patron of and ejected from Calder Casino on July 1 and 2, 2023, and permanently excluded from Calder Casino on July 5, 2023.

17. Pursuant to sections 550.0251(6), Florida Statutes, and section 551.112, Florida Statutes, Respondent is subject to exclusion by the Commission from any licensed pari-mutuel facilities and any facility of a slot machine licensee in the State of Florida based on his ejection from Calder Casino.

18. Respondent's testimony neither mitigates the fact that Respondent was ejected and permanently excluded from Calder Casino, nor precludes the Commission from excluding Respondent from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

19. There is competent substantial evidence to support the conclusions of law.

RECOMMENDED ORDER

Based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Florida Gaming Control Commission issue a Final Order permanently excluding Respondent from all pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

This Hearing Officer's Recommended Order in FGCC Case Number 2023-037698 is submitted this 9th day of January 2024.

/s/ Elizabeth K. Stinson
Elizabeth K. Stinson
Hearing Officer
Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 10th day of January, 2024, that a true copy of the foregoing “Hearing Officer’s Recommended Order” has been provided by mail and email to:

Antwan Bradley
1847 NW 143rd Street
Miami, Florida 33142
AntwanBradley24@gmail.com

/s/ Melba L. Apellaniz
Agency Clerk