

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

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

**EXHIBIT**  
**1**

Petitioner,

v.

FGCC Case No.: 2025-069911

YASSER HERNANDEZ,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

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

1. Petitioner is the state agency charged with regulating pari-mutuel, slot machine, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 3931 Southwest 90th Avenue, Miami, Florida 33165.
3. At all times material hereto, Gretna Racing, LLC d/b/a Magic City Casino (“Magic City Casino”) was a facility operated by a permit holder authorized by the Commission to conduct pari-mutuel wagering, cardroom operations, and slot operations in the state of Florida.
4. On or about August 4, 2025, Respondent was a patron of Magic City Casino.
5. On or about August 4, 2025, Respondent was ejected from Magic City Casino.
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. 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 absolutely a patron in this state.

(Emphasis supplied).

8. 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 Magic City Casino on or about August 4, 2025.

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, in accordance with sections 550.0251(6)

and 551.112, 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 2025-069911 is signed on the 11th day of February 2026.

*/s/ Justin Hundersmarck*

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Justin Hundersmarck  
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Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
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Tallahassee, Florida 32399  
Phone: (850) 794-8063  
Fax: +1 850-536-8712  
Primary: Justin.Hundersmarck@flgaming.gov  
Secondary: Ebonie.Lanier@flgaming.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.

Having considered the Administrative Complaint, the service of the Administrative Complaint on Respondent, and Respondent's failure to timely respond, and being otherwise fully advised in the premises, it is hereby

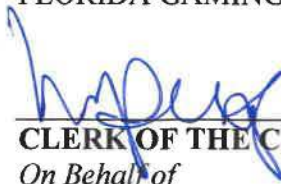
ORDERED and ADJUDGED:

1. Respondent waived his right to request a hearing in this cause.
2. The allegations of fact and the conclusions of law in the Administrative Complaint are adopted in their entirety herein.
3. Respondent is **PERMANENTLY EXCLUDED** from all pari-mutuel facilities and all facilities of slot machine licensees within the state of Florida.

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

DONE AND ORDERED this 13<sup>th</sup> day of April, 2026.

FLORIDA GAMING CONTROL COMMISSION



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**CLERK OF THE COMMISSION**

*On Behalf of*

Julie I. Brown, Chair

Tina Repp, Vice Chair

John D'Aquila, Commissioner

William Spicola, Commissioner

Peter Cuderman, Commissioner

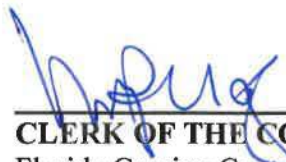
NOTICE OF RIGHT TO APPEAL

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 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 13<sup>th</sup> day of April, 2026, a true and correct copy of this Final Order has been sent via U.S mail to:

**Yasser Hernandez**  
3931 Southwest 90th Avenue  
Miami, Florida 33165



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

CC: Ebonie Lanier



# Florida Gaming Control Commission

JULIE I. BROWN, CHAIR  
TINA REPP, VICE CHAIR  
JOHN D' AQUILA, COMMISSIONER  
WILLIAM SPICOLA, COMMISSIONER  
PETER CUDERMAN, COMMISSIONER

February 11, 2026

Yasser Hernandez  
3931 Southwest 90<sup>th</sup> Avenue  
Miami, Florida 33165

Case No.: **2025-069911**  
Subject: **SERVICE OF ADMINISTRATIVE COMPLAINT**

Dear Yasser Hernandez:

This is to inform you that probable cause has been found to believe that you violated certain provisions of the Florida Statutes. The Administrative Complaint enclosed with this letter contains the formal charges filed against you along with an Election of Rights Form. Receipt of these documents constitutes legal service upon you. The options available to you under Florida law are as follows:

- (a) Dispute the material facts alleged and request a hearing before an administrative law judge with the Division of Administrative Hearings
- (b) Choose not to dispute the material facts alleged, and request a hearing before the Commission, who will only hear evidence regarding the conclusions of law and the penalty for violations; or
- (c) Waive your right to either type of hearing and put yourself completely at the Commission's discretion.

Please be advised that, pursuant to section 120.573, Florida Statutes, mediation is not available for this type of agency action. You must respond by selecting one of the options on the enclosed Election of Rights Form. The executed Election of Rights form **must be received in this office within 21 days of your receipt of this letter**. Failure to respond within the 21-day period constitutes a waiver of the rights outlined above, and the Commission shall proceed against you by default. Prior oral or written submissions to the Commission regarding this matter **will not** be considered responsive to this Administrative Complaint. Regardless of your prior communication(s) with the Commission, it is required that you respond to the Administrative Complaint by selecting one of the options on the enclosed Election of Rights Form.

Sincerely,

/s/ Justin Hundersmarck

Justin Hundersmarck  
Senior Attorney  
850-794-8063

Enclosures: Administrative Complaint and Election of Rights Form

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

FGCC v. YASSER HERNANDEZ

CASE NO.: 2025-069911

**ELECTION OF RIGHTS**

Please read the Administrative Complaint before choosing one of the three options. The Election of Rights is a **legally binding** document. Consult an attorney if you do not understand your options.

You can only select **ONE** of the options numbered one (1), two (2), and three (3) on the Election of Rights form. You must sign the form.

A completed Election of Rights **must be returned to the Clerk of the Commission within 21 days, by 5:00 p.m., Eastern Time, of the day you receive the attached Administrative Complaint.**

**If your Election of Rights form or request for hearing is not filed with the Clerk of the Commission within 21 days of the day you received the Administrative Complaint, you will have waived your right to contest the proposed agency action and a Final Order will be issued imposing the proposed agency action set forth in the Administrative Complaint.**

Please use this form unless you, your attorney, or your representative prefer to reply according to chapter 120, Florida Statutes, and chapter 28.106 of the Florida Administrative Code.

Please return your Election of Rights form to this address:

Florida Gaming Control Commission  
Attention: Clerk of the Commission  
4070 Esplanade Way, Suite 250, Tallahassee, FL 32399  
Telephone: (850) 794-8067 Fax: (850) 536-8712  
Email: clerk@flgaming.gov

**PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.**

**Option One (1)**  **I do not dispute the allegations** of material fact in the Administrative Complaint and wish to be heard at an informal proceeding pursuant to section 120.57(2), Florida Statutes, where I may submit testimony and written evidence to the Commission to show that the proposed agency action is too severe or that the sanction should be reduced.

**Option Two (2)**  **I do dispute the allegations** of material fact in the Administrative Complaint and I request a formal hearing pursuant to Section 120.57(1) before an Administrative Law Judge of the Division of Administrative Hearings (“DOAH”). **I specifically dispute the following facts in the Administrative Complaint** (attach extra pages or write on the back if needed):

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STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

**In addition to the above election for formal hearing, check the box below if you wish to enter into settlement negotiations and waive the 15-day requirement for this matter to be referred to DOAH:**

Section 120.569(2)(a), Florida Statutes, requires the Commission to send this case to DOAH for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement.

**Option Three (3)**  **I do not dispute the allegations** of material fact in the Administrative Complaint and **waive my right** to object and to have a hearing. I understand that by giving up the right to object and have a hearing, a Final Order will be issued that adopts the allegations of fact and conclusions of law alleged in the Administrative Complaint and imposes the Commission action set forth in the Administrative Complaint.

**THIS IS A LEGALLY BINDING DOCUMENT. SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS.**

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
ATTORNEY OR QUALIFIED REPRESENTATIVE

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address (where service shall be made)

\_\_\_\_\_  
City                      State                      Zip

\_\_\_\_\_  
City                      State                      Zip

\_\_\_\_\_  
Telephone Number    Facsimile Number (if any)  
Number (if any)

\_\_\_\_\_  
Telephone Number    Facsimile

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
E-mail

\_\_\_\_\_  
SIGNATURE

**YOU MUST LET THE COMMISSION KNOW IF YOUR E-MAIL OR MAILING ADDRESS CHANGES**