

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING

Petitioner,

v.

FGCC Case No.: 2024-032319

MEKHI D'AVONNE ALLEN,

Respondent.

_____ /

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on March 6, 2025, 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's cardroom employee occupational license and slot machine/cardroom/ pari-mutuel combination occupational license are **REVOKED**.

3. 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 6th day of MARCH, 2025.

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, Suite 250, Tallahassee, Florida 32399-7033 (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 6th day of MARCH, 2025, a true and correct copy of this Final Order has been sent via U.S. Mail to:

Mekhi D'Avonne Allen
318 West Dixie Court
Ft. Lauderdale, Florida 33311
Mannykv@gmail.com



CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier

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

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DIVISION OF PARI-MUTUEL WAGERING,

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v.

FGCC Case No.: 2024-032319

MEKHI D'AVONNE ALLEN,

Respondent.

HEARING OFFICER'S RECOMMENDED ORDER

THIS MATTER came before Renee Harkins, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on January 9, 2025, 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 Mekhi D'Avonne Allen ("Respondent"), in FGCC Case Number 2024-032319 ("Administrative Complaint"). The Commission was represented by Justin Hundersmarck, Senior Attorney, and the hearing was held telephonically.

PRELIMINARY STATEMENT

1. On or about August 14, 2024, the Commission filed a two count Administrative Complaint against Respondent, alleging Respondent's employment was terminated for suspicion of theft of company funds from Calder Race Course, Inc., d/b/a Calder Casino ("Calder Casino"), and that Calder Casino permanently ejected Respondent from the facility.

2. Calder Casino is a facility operated by a permit holder authorized to conduct pari-mutuel wagering, slot machine, and cardroom operations in the State of Florida.

3. The Administrative Complaint sought to revoke both Respondent's Cardroom Employee Occupational License and Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Due to Respondent's ejection, it sought to exclude Respondent from all licensed pari-mutuel wagering facilities and facilities of a slot machine licensee in the State of Florida.

4. On or about September 20, 2024, the Commission received an Election of Rights from Respondent, where Respondent did not dispute the allegations of material fact and requested an informal hearing pursuant to sections 120.569 and 120.57(2), Florida Statutes.

The January 9, 2025, Informal Hearing

5. At the informal hearing held on January 9, 2025, 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 admitted the investigative packet into the record.

6. The investigative packet that was admitted into the record contained an Investigative Report detailing the activity that led to the termination of employment and permanent ejection and exclusion of Respondent from Calder Casino.

7. At the informal hearing, Respondent stated that he had been given a chance to advance in his career as a dealer and was new to being a supervisor at the time of the incident. Respondent stated he was tired from working long hours the week of the incident.

8. Respondent testified that the dealer on shift notified Respondent of a \$110 overage. Respondent stated the cashier was short by \$10, so he returned \$10 in chips to the cashier and split the remaining \$100 between the dealer and himself as a tip. Respondent stated that he was mistaken

about supervisors being able to accept tips from players and that the penalty for his mistake is too harsh.

FINDINGS OF FACT

9. Petitioner is the state agency charged with regulating pari-mutuel wagering, cardroom, and slot machine operations pursuant to chapters 550 and 551, Florida Statutes, and section 849.086, Florida Statutes.

10. At all times material hereto, Respondent held both a Cardroom Employee Occupational License and Slot Machine/Cardroom Pari-Mutuel Combination Occupational License, number 13606203, issued by Petitioner pursuant to sections 550.105(2)(a), 551.107(2)(b), and 849.086(6), Florida Statutes.

11. At all times material hereto, Respondent was employed as a Supervisor and Dealer at Calder Casino.

12. On or about May 13, 2024, Respondent was observed by Calder Casino surveillance placing chips that belonged in the cage into the dealer's tip box and keeping chips for himself.

13. On or about May 28, 2024, Calder Casino terminated Respondent's employment over suspicion of theft of company funds; Calder Casino permanently excluded Respondent from the facility.

CONCLUSIONS OF LAW

14. The Hearing Officer has jurisdiction over this matter and the parties pursuant to section 120.57(2), Florida Statutes.

15. The Commission has jurisdiction over this matter pursuant to chapters 120, 550, 551, and 849, Florida Statutes.

16. Section 849.086(14)(a), Florida Statutes, provides that:

The commission may deny a license or the renewal thereof, or may suspend or revoke any license, when the applicant has violated or failed to comply with the provision of this section or any rules adopted pursuant thereto; knowingly caused, aided abetted, or conspired with another to cause any person to violate this section or any rules adopted pursuant thereto; or obtained a license or permit by fraud, misrepresentation, or concealment; or if the holder of such license or permit is no longer eligible under this section.

17. Based on the foregoing, Respondent violated rule 75-11.005(4), Florida Administrative Code, by employing a device, scheme, or artifice to defraud the cardroom operator and is therefore subject to suspension or revocation of his occupational license pursuant to section 849.086(14)(a), Florida Statutes.

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

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.)

Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine license 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.)

19. Pursuant to the statutes, Respondent's ejection and exclusion from one facility is enough to trigger an exclusion of the person from all pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

20. Respondent is subject to permanent exclusion from all licensed pari-mutuel wagering facilities and all facilities of a slot machine licensee in the State of Florida based on Respondent's ejection and permanent exclusion from Calder Casino.

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

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 an Order revoking Respondent's Cardroom Employee Occupational License and Slot Machine/Cardroom Pari-Mutuel Combination Occupational License, number 13606203, and permanently excluding Respondent from all pari-mutuel wagering facilities and all facilities of a slot machine licensee in the State of Florida.

This Hearing Officer's Recommended Order in FGCC Case Number 2024-032319 is submitted
this 19th day of February 2025.

A handwritten signature in blue ink that reads "Renee Harkins". The signature is written over a horizontal line.

Renee Harkins, Hearing Officer
Florida Gaming Control Commission

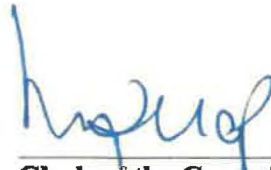
CERTIFICATE OF SERVICE

I hereby certify that this 26th of February 2025, that a true copy of the foregoing

“Hearing Officer’s Recommended Order” has been provided by email to:

Justin Hundersmarck
Counsel for Petitioner
Justin.Hundersmarck@flgaming.gov

Mekhi D’Avonne Allen
318 West Dixie Court
Ft. Lauderdale, Florida 33311
Mannykv@gmail.com



Clerk of the Commission
Florida Gaming Control Commission