

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

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

Petitioner,

v.

FGCC Case No.: 2023-067514

ZOE NICOLE BRYANT,

Respondent.

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on October 2, 2024, 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 July 18, 2024, alleging that Respondent violated rule 75-11.005(4), Florida Administrative Code, and is therefore subject to license revocation pursuant to section 849.086(14)(a), Florida Statutes, and exclusion from all pari-mutuel facilities in the state of Florida pursuant to 550.0251(6), Florida Statutes. A copy of the Administrative Complaint is attached hereto as Exhibit "1" and incorporated by reference.

2. The Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter were served on Respondent via certified mail.

3. The Election of Rights form, Explanation of Rights, and cover letter informed Respondent that a written response to the Complaint, including the right to request a hearing, was due within 21 days of actual service of the Complaints. *See* § 120.569(1), Fla. Stat., and Fla. Admin. Code R. 28-106.111.

4. On or about September 9, 2024, Respondent returned the Election of Rights form and selected “Option 3” which states that Respondent does not dispute the allegations of material fact in the Administrative Complaint and waives his or her right to any form of hearing. Respondent, by selecting this option, requests that a Final Order imposing a penalty and/or fine be entered in this case. A copy of the Election of Rights is attached hereto as Exhibit “2” and incorporated by reference.

5. Respondent has waived his right to request a hearing in which there is a disputed issue of material fact.

Having considered the Administrative Complaint and Respondent’s waiver of his/her right to request a hearing, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED:

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

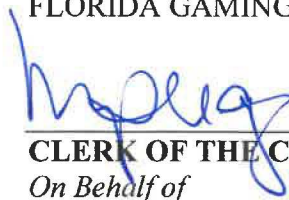
7. Respondent’s Cardroom Employee Occupational License, number 13607661, is hereby **REVOKED**.

8. 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 2nd day of OCTOBER, 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 2nd day of OCTOBER, 2024, a true and correct copy of this Final Order has been sent via USPS mail to:

Zoe Nicole Bryant
6541 Matthews JCT
Pensacola, Florida 32526



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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v.

FGCC Case No.: 2023-067514

ZOE NICOLE BRYANT,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Zoe Nicole Bryant (“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, Respondent held a Cardroom Employee Occupational License, number 13607661, issued pursuant to section 849.086(6), Florida Statutes.
3. At all times material hereto, Pensacola Greyhound Racing, LLP d/b/a Pensacola Greyhound Racing was a facility operated by a permit holder authorized to conduct pari-mutuel wagering and cardroom operations in the state of Florida.
4. At all times material hereto, Respondent was employed as a Chip Runner at Pensacola Greyhound Racing.

5. On or about September 28, October 5, and October 10, 2023, Respondent was observed by Pensacola Greyhound Racing surveillance falsifying promotional payout documentation.

6. On or about October 18, 2023, Respondent's employment with Pensacola Greyhound Racing was terminated.

COUNT I

7. Petitioner realleges and incorporates the allegations contained in paragraphs one through six as if set forth fully herein.

8. Rule 75-11.005(4)(a), Florida Administrative Code, states that "[n]o person shall, either directly or indirectly . . . [e]mploy or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator."

9. 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 provisions 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.

10. 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 her occupational license pursuant to section 849.086(14)(a), Florida Statutes.

COUNT II

11. Petitioner realleges and incorporates the allegations contained in paragraphs one through ten as if set forth fully herein.

12. 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 added).

13. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities in the state of Florida based on her violation of rule 75-11.005(4), Florida Administrative Code.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order revoking Respondent's Cardroom Employee Occupational License, number 13607661, and excluding Respondent from all licensed pari-mutuel wagering facilities in the state of Florida, along with any other remedy provided by chapters 550 and 849, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-067514 is signed this 18th day of July 2024.

/s/ Shireen Anbardan

Shireen Anbardan
Senior Attorney
FBN: 1054561
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
4070 Esplanade Way, Suite 250
Tallahassee, Florida 32399-2202
Telephone: (850) 794-8079
Facsimile: (850) 536-8709
Primary: Shireen.Anbardan@flagaming.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.

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

FILED	
FLORIDA GAMING CONTROL COMMISSION	
Date:	<u>9/09/2024</u>
File Number:	_____
BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION	

FGCC v. ZOE NICOLE BRYANT

CASE NO.: 2023-067514

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) 536-8709
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):
