

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING

Petitioner,

v.

FGCC Case No.: 2024-015483

MAYNOR F. CALDERON,

Respondent.

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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.

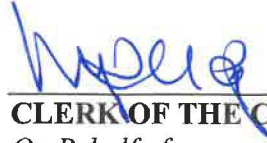
ORDERED and ADJUDGED:

1. The Hearing Officer's Recommended Order is adopted in full.
2. Respondent is **PERMANENTLY EXCLUDED** from all pari-mutuel facilities in the state of Florida.

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

DONE AND ORDERED this 6<sup>th</sup> day of March, 2025.

FLORIDA GAMING CONTROL COMMISSION



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**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](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 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 6<sup>th</sup> day of MARCH, 2025, a true and correct copy of this Final Order has been sent via U.S. Mail to:

**Maynor F. Calderon**  
**c/o Peter Lombardo, esq.**  
529 13<sup>th</sup> Street West, #204  
Bradenton, Florida 34205  
LombardoPeter38@yahoo.com

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

CC: Ebonie Lanier

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
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FGCC Case No.: 2024-015483

MAYNOR F. CALDERON,

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 Maynor F. Calderon ("Respondent"), in FGCC Case Number 2024-015483 ("Administrative Complaint"). The Commission was represented by Emily A. Alvarado, Chief Attorney, and the hearing was held telephonically. Attorney Peter Lombardo represented Respondent.

PROCEDURAL HISTORY

1. On or about May 21, 2024, the Commission filed an Administrative Complaint against Respondent, alleging that Respondent was a patron of and was ejected and excluded from Tampa Bay Downs Entertainment, d/b/a TGT Poker and Racebook ("TGT Poker and Racebook"), a facility operated by a permitholder authorized by the Commission to conduct pari-mutuel wagering and cardroom operations in the State of Florida. The Administrative Complaint sought

to exclude Respondent from all licensed pari-mutuel wagering facilities in the State of Florida due to Respondent's ejection and exclusion from TGT Poker and Racebook.

2. On or about June 11, 2024, the Commission received an Election of Rights form from Respondent requesting a telephonic hearing in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes.

3. An informal hearing was scheduled for January 9, 2025.

The January 9, 2025, Informal Hearing

4. 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.

5. The investigative packet that was admitted into the record contained an Investigative Report detailing the activity that led to the permanent ejection and exclusion of Respondent from TGT Poker and Racebook.

6. At the informal hearing, Respondent testified that he did not know the rules of the game he was playing. He stated that a permanent ban was too high a penalty for his infraction. Attorney Lombardo noted that Respondent had no intent to defraud TGT Poker and Racebook.

FINDINGS OF FACT

7. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.

8. At all times material hereto, TGT Poker and Racebook was a facility operated by a permitholder authorized to conduct pari-mutuel wagering and cardroom operations in the State of Florida.

9. On or about March 9 and 10, 2024, the Respondent was a patron at TGT Poker and Racebook.

10. On or about April 30, 2024, Respondent was ejected and permanently excluded from TGT Poker and Racebook after surveillance revealed that Respondent was adding or removing chips from his bet or to a bonus spot after the game's outcome was known.

#### 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 849, Florida Statutes.

13. At all times material hereto, TGT Poker and Racebook was a facility operated by a permitholder authorized to conduct pari-mutuel wagering and cardroom 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.)

14. 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 in the State of Florida.

15. Respondent is subject to permanent exclusion from all licensed pari-mutuel wagering facilities in the State of Florida based on Respondent's ejection and permanent exclusion from TGT Poker and Racebook on or about April 30, 2024.


16. Respondent's testimony neither mitigates that Respondent was ejected and excluded from TGT Poker and Racebook nor precludes the Commission from permanently excluding Respondent from all licensed pari-mutuel facilities 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 permanently excluding Respondent from all pari-mutuel wagering facilities in the State of Florida.

This Hearing Officer's Recommended Order in FGCC Case Number 2024-015483 is submitted this 19<sup>th</sup> day of February 2025.



Renee Harkins, Hearing Officer  
Florida Gaming Control Commission



CERTIFICATE OF SERVICE

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

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

**Emily A. Alvarado**  
Counsel for Petitioner  
Emily.Alvarado@flgaming.gov

**Maynor F. Calderon**  
1003 Harvard Avenue  
Bradenton, Florida 34204

**Attorney Peter Lombardo**  
529 13<sup>th</sup> Street West, #204  
Bradenton, Florida 34205  
LombardoPeter38@yahoo.com

  
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**CLERK OF THE COMMISSION**  
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