

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

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

Petitioner,

v.

FGCC Case No.: 2024-016234

JOSE SADE,

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 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 January 24, 2025, alleging that 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 pursuant to 550.0251(6) and 551.112, 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 USPS mail on January 30, 2025. Proof of service is attached hereto as Exhibit "2" and incorporated by reference.

3. The election of rights accompanying the Administrative Complaint made it clear that Respondent had 21 days to file a written response.

4. Respondent has not filed a timely response to the Administrative Complaint. Respondent has not submitted any evidence or made any allegations that would support the application of the doctrine of equitable tolling.

Having considered the Administrative Complaint, the service of the Administrative Complaint with Election of Rights form, Explanation of Rights, and cover letter on Respondent along with Respondent's failure to respond, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED:

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

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 12th day of MARCH, 2025.

FLORIDA GAMING CONTROL COMMISSION



CLERK OF THE COMMISSION

On Behalf of

Julie Brown, Vice-Chair

John D'Aquila, Commissioner

Charles Drago, 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 32399-7033 (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 19TH day of MARCH, 2025, a true and correct copy of this Final Order has been sent via U.S. Mail to:

Jose Sade
325 Calusa Street Lot #61
Key Largo, Florida 33031



CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier

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

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

Petitioner,

v.

FGCC Case No.: 2024-016234

JOSE SADE,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Jose Sade (“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 325 Calusa Street, Lot #61 Key Largo, Florida 33037.

COUNT I

3. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.
4. At all times material hereto, Casino Miami, LLC was a facility operated by a permitholder authorized by the Commission to conduct pari-mutuel wagering, cardroom operations, and slot operations in the state of Florida.
5. On or about January 14, 2024, and January 23, 2024, Respondent was a patron of Casino Miami, LLC.

EXHIBIT
1

6. On or about March 8, 2024, Respondent was permanently trespassed from Casino Miami, LLC.

7. Respondent was permanently trespassed for the reasons alleged in Exhibit 1.

8. 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).

9. 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 added).

10. 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 trespass from Casino Miami, LLC on or about March 8, 2024.

COUNT II

11. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.

12. At all times material hereto, Gretna Racing, LLC d/b/a 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.

13. On or about February 22, 2024, Respondent was a patron of Magic City Casino.

14. On or about February 22, 2024, Respondent was permanently excluded from Magic City Casino.

15. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

16. 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).

17. 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 added).

18. 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 exclusion from Magic City Casino on or about February 22, 2024.

COUNT III

19. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.

20. At all times material hereto, Dania Entertainment Center, LLC d/b/a Casino @ Dania Beach 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.

21. On or about February 24, 2024, Respondent was a patron of Casino @ Dania Beach.

22. On or about March 6, 2024, Respondent was permanently excluded from Casino @ Dania Beach.

23. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

24. 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).

25. 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 added).

26. 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 exclusion from Casino @ Dania Beach on or about March 6, 2024.

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 2024-016234 is signed this 14th day of January 2025.

/s/Emily A. Alvarado

Emily A. Alvarado

Chief Attorney

FBN: 1025200

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) 794-8066

Facsimile: +1 (850) 536-8709

Primary: Emily.Alvarado@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.