

FILED	
FLORIDA GAMING CONTROL COMMISSION	
Date:	9/08/2026
File Number:	2026-00163
BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION	

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.: 2026-002428

ARMANDO DE JESUS RIVERO,

Respondent.

_____ /

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on September 3, 2026, for final agency action pursuant to sections 120.569 and 120.57(2) of the 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 April 28, 2026. A copy of the administrative complaint, an election of rights form, an explanation of rights, and a cover letter (collectively referred to as the Administrative Complaint) are attached hereto as Exhibit "1" and incorporated by reference.

2. The Administrative Complaint was served on Respondent on July 22, 2026. Proof of service is attached hereto as "Exhibit 2" and incorporated by reference.

3. 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 on Respondent, and Respondent's failure to timely respond, and being otherwise fully advised in the premises, it is hereby

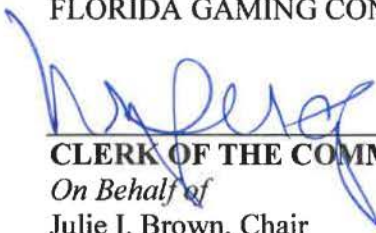
ORDERED and ADJUDGED:

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 licensed pari-mutuel and slot machine 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 8th day of SEPTEMBER, 2026.

FLORIDA GAMING CONTROL COMMISSION



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 of the Florida Statutes by the filing of an original notice of appeal pursuant to rules 9.110 and 9.190 of the 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 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 8th day of SEPTEMBER, 2026, a true and correct copy of this Final Order has been sent via U.S. mail to:

Armando De Jesus Rivero
900 Bay Drive, Apt. 1021
Miami Beach, Florida 33141



CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier

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

EXHIBIT
1

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

Petitioner,

v.

FGCC Case No.: 2026-002428

ARMANDO DE JESUS RIVERO,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Armando De Jesus Rivero (“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 900 Bay Drive Apt. 1021, Miami Beach, Florida 33141.
3. At all times material hereto, Gretna Racing, LLC d/b/a Magic City Casino (“Magic City Casino”) 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.
4. At all times material hereto, South Florida Racing Association, LLC d/b/a Hialeah Park Racing & Casino (“Hialeah Park”) 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. At all times material hereto, Calder Race Course, Inc. d/b/a Calder Casino & Race Course and/or Calder Casino (“Calder Casino”) 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.

6. On or about November 16, 2025, Respondent was a patron of Magic City Casino.

7. On or about November 16, 2025, Respondent was ejected from Magic City Casino for a period of one year.

8. On or about December 21, 2025, Respondent was a patron of Hialeah Park.

9. On or about December 21, 2025, Respondent was ejected from Hialeah Park.

10. On or about January 3, 2026, Respondent was a patron of Calder Casino.

11. On or about January 3, 2026, Respondent was ejected from Calder Casino.

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 supplied).

13. 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).

14. 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 November 16, 2025, his ejection from Hialeah Park on or about December 21, 2025, and his ejection from Calder Casino on January 3, 2026.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and all facilities of slot machine licensees 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 2026-002428 is signed on April 24, 2026.

/s/ Justin Hundersmarck

Justin Hundersmarck
Senior Attorney
Florida Bar Number: 1039038
Florida Gaming Control Commission
Office of the General Counsel
Division of Pari-Mutuel Wagering
4070 Esplanade Way, Suite 250
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.

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

FGCC v. RIVERO, ARMANDO DE JESUS

CASE NO.: 2026-002428

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):

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)

Telephone Number Facsimile Number (if any)

E-mail

E-mail

SIGNATURE

SIGNATURE

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



Florida Gaming Control Commission

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

July 13, 2026

Armando De Jesus Rivero
900 Bay Drive, Apt. 1021
Miami Beach, FL 33141

Case No.: **2026-002428**

Subject: **SERVICE OF ADMINISTRATIVE COMPLAINT**

Dear Armando De Jesus Rivero:

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

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FAQs >

EXHIBIT
2

Tracking Number:

Remove X

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Latest Update

Your item was delivered to an individual at the address at 5:10 pm on July 22, 2026 in MIAMI BEACH, FL 33141.

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Delivered

Delivered, Left with Individual

MIAMI BEACH, FL 33141
July 22, 2026 5:10 PM



Returned to Sender

MIAMI BEACH, FL 33141
July 20, 2026 7:07 PM



Arrived at USPS Facility

OPA LOCKA FL DISTRIBUTION CENTER
July 18, 2026 11:22 AM



Arrived at USPS Facility

JACKSONVILLE FL DISTRIBUTION CENTER
July 16, 2026 11:30 PM



Departed Post Office

TALLAHASSEE, FL 32311

Feedback

July 14, 2026 6:03 PM

USPS picked up item

TALLAHASSEE, FL 32311

July 14, 2026 1:46 PM

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FAQs

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Armando De Jesus Rivero
900 Bay Drive, Apt. 1021
Miami Beach, FL 33141
AC-2026-002428-OGC

7-13-26

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