

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	1/25/2018
File #	2018-00592

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

DBPR Case No. 2016-024684

v.

CHRISTOPHER SHAW,

Respondent.

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FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner” or “Division”), hereby enters this Final Order against Christopher Shaw (“Respondent”) and states as follows:

1. An Administrative Complaint was filed in this case on November 21, 2017, alleging that Respondent is subject to discipline under section 550.0251(6), Florida Statutes (“the Administrative Complaint”). A true copy of the Administrative Complaint is attached hereto as Exhibit “A” and incorporated by reference.

2. The Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter were served via U.S. Certified Mail upon Respondent on November 24, 2017. A true copy of the United States Postal Service Tracking Confirmation Page indicating thus is attached hereto as Exhibit “B” and incorporated by reference.

3. The Election of Rights form, Explanation of Rights, and cover letter informed Respondent that a written response to the Administrative Complaint, including the request for a

hearing, was due within the twenty-one (21) days of actual service to dispute the allegations within the Administrative Complaint. See section 120.569(1), Florida Statutes, and rule 28-106.111, Fla. Admin. Code.

4. Petitioner informed Respondent that the failure to timely file a response to the Administrative Complaint would be deemed a waiver of right to a hearing or resolution in this matter.

5. To date, Respondent has not submitted an Election of Rights form or otherwise provided a response to the Administrative Complaint filed and served in this action.

Upon consideration of the facts and conclusions of law delineated in the Administrative Complaint, it is ORDERED:

1. The allegations of fact set forth in the Administrative Complaint are approved, adopted, and incorporated herein by reference as findings of fact by the Division.

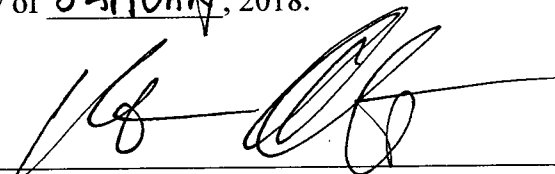
2. The conclusions of law alleged and set forth in the Administrative Complaint are approved, adopted, and incorporated herein by reference as the conclusions of law by the Division.

3. There is competent substantial evidence to support the findings of fact and conclusions of law by the Division.

**THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:**

1. Respondent is PERMANENTLY EXCLUDED from all licensed pari-mutuel facilities in this state.
2. This Final Order shall become effective upon its filing with the Agency Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 23 day of JANUARY, 2018.

  
**ROBERT EHRHARDT, DIRECTOR**  
Division of Pari-Mutuel Wagering  
Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035  
(850) 717-1768

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing "Final Order" has been sent by regular United States Regular Mail on this 25<sup>th</sup> day of January, 2018 to:

Christopher Shaw  
1928 Fruitridge Street  
Brandon, Florida 33510



**AGENCY CLERK'S OFFICE**  
Department of Business and Professional Regulation

Cc:  
Deborah Matthews, AAI OGC/PMW  
Glenda Ricks, Chief of Operations/PMW

NOTICE OF RIGHT TO APPEAL

Unless expressly waived, any party substantially affected by this Final Order may seek judicial review by filing an original Notice of Appeal with the Agency Clerk of the Department of Business and Professional Regulation at 2601 Blair Stone Road, Mail Stop G2, Tallahassee, Florida 32399, (AGC.Filing@myfloridalicense.com), and a copy of the notice, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal within thirty days rendition of this Order, in accordance with Fla. App. P. 9.110, and section 120.68, Florida Statutes.

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	<b>Evelle Lawson-Proctor</b>
Date	11/21/2017
File #	

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION, DIVISION  
OF PARI-MUTUEL WAGERING,

Petitioner,

v.

DBPR Case No. 2016-024684

CHRISTOPHER A. SHAW,

Respondent.

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ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner” or “Division”), files this Administrative Complaint against Christopher A. Shaw (“Respondent”) and alleges:

1. The Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapter 550 and section 849.086, Florida Statutes.
2. At all times material hereto, Respondent was employed by Designated Gaming Services, Inc.<sup>1</sup> to play poker at Tampa Greyhound Track.
3. Tampa Greyhound Track is a facility operated by a permit holder authorized to conduct pari-mutuel wagering and cardroom gaming in this state under chapter 550 and section 849.086, Florida Statutes.
4. On or about May 7, 2016, Respondent removed poker chips from a poker game and placed them in his pocket.

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<sup>1</sup> Respondent’s employer is not pertinent to the allegations enumerated herein.

5. On or about May 16, 2016, Tampa Greyhound Track security excluded Respondent from Tampa Greyhound Track.

6. Section 550.0251(6), Florida Statutes (2016), provides in full:

In addition to the power to exclude certain persons from any pari-mutuel facility in the state, the division 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 division. The division 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).

#### COUNT I

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

8. Respondent's conduct would constitute a violation, if he were a licensee, of rule 61D-11.005(4)(a-c), Florida Administrative Code (2016), stating:

No 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. [or] Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator. [or] Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities in this state for conduct that would constitute, if he were a licensee, a violation of rule 61D-11.005(4)(a-c), Florida Administrative Code.

COUNT II

10. Petitioner hereby realleges and incorporates the allegations contained in paragraphs one through six as though fully set forth herein.

11. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities in this state as a result of his ejection from a licensed pari-mutuel facility in this state.

WHEREFORE, Petitioner respectfully requests the Division enter an Order permanently excluding Respondent from all licensed pari-mutuel facilities in the state of Florida.

Signed this 16<sup>th</sup> day of November, 2017:

*/s/ James A. Lewis*

**JAMES A. LEWIS**

Assistant General Counsel

Florida Bar No. 1002349

James.Lewis@MyFloridaLicense.com

*/s/ Louis Trombetta*

**LOUIS TROMBETTA**

Chief Attorney

Florida Bar No. 108119

Louis.Trombetta@MyFloridaLicense.com

Department of Business and

Professional Regulation

Office of the General Counsel

Division of Pari-Mutuel Wagering

2601 Blair Stone Road

Mail Stop N21

Tallahassee, Florida 32399-2202

Telephone: (850) 717-1768

Facsimile: (850) 921-1311

### NOTICE OF RIGHTS

Please be advised that within twenty-one (21) days of your receipt of this administrative complaint you have the right to request an administrative hearing. Any such hearing would be conducted in accordance with the provisions of sections 120.569 and 120.57, Florida Statutes, and you would have the right to be represented by counsel or other qualified representative, to call and examine witnesses, and to have subpoenas issued on your behalf. However, if you do not file (i.e., we do not receive) your request for hearing within the twenty-one (21) days, you will have waived your right to any hearing.

Please also be advised that mediation is not available in this matter.

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**Christopher A. Shaw**  
**1928 Fruitridge Street**  
**Brandon, FL 33510**  
**AC 2016-024684 (PMW)**

PS Form 3800, August 2006 See Reverse for Instructions

**EXHIBIT**

**B**

[exhibitlocker.com](http://exhibitlocker.com)





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