

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

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	12/26/2018
File #	2018-10462

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

Petitioner,

v.

Case No. 2018-044704

ADEL ACOSTA,

Respondent.

FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (hereinafter "Petitioner"), issues this Final Order against Adel Acosta, (hereinafter "Respondent") as follows:

1. An Administrative Complaint was filed in this case on September 17, 2018, alleging that Respondent violated certain provisions of Chapter 550, Florida Statutes. A copy of the Administrative Complaint is attached hereto as Exhibit "1".
2. The Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter were served on Respondent via certified mail on October 30, 2018. Proof of service is attached hereto as Exhibit "2".
3. The Election of Rights form, Explanation of Rights, and cover letter informed Respondent that a written response to the Administrative Complaint, including the right to request a hearing, was due within 21 days of actual service of the Administrative Complaint. See section 120.569(1), Florida Statutes, and rule 28-106.111, Florida Administrative Code.
4. Petitioner made all reasonable efforts to provide actual notice to Respondent.

5. Petitioner informed Respondent that the failure to file a timely response to the Administrative Complaint shall be deemed a waiver of the right to a hearing.

6. 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 evidence of Petitioner's reasonable attempts to provide actual notice to Respondent, and being otherwise fully advised in the premises, it is hereby

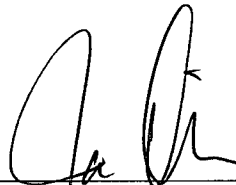
ORDERED and ADJUDGED:

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

8. Respondent is **PERMANENTLY EXCLUDED** from all licensed pari-mutuel facilities in the state of Florida.

9. This Final Order is effective on the date it is filed with the Agency Clerk of the Department of Business and Professional Regulation as indicated on the first page of this Final Order.

DONE and ORDERED this 18 day of DECEMBER, 2018.



JOE DILLMORE, Deputy Director
Division of Pari-Mutuel Wagering
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-1035

NOTICE OF RIGHT TO APPEAL

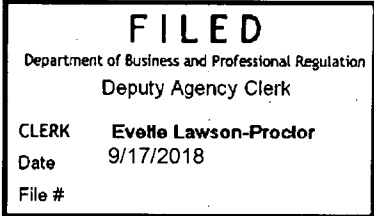
Any party to this proceeding has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Agency Clerk, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202 (Email: AGC.Filing@myfloridalicense.com), 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) in the Office of the Agency Clerk within thirty (30) days after the date this Order is filed with the Clerk.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this Final Order on Waiver was provided to Respondent at: 3380 NW 17th Avenue, Apt. 712, Miami, Florida 33142, this 26th day of December, 2018.

Brandon M. Nichols

AGENCY CLERK'S OFFICE



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.: 2018-044704

ADEL ACOSTA,

Respondent.

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (Petitioner), files this Administrative Complaint against Adel Acosta (Respondent), and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to Chapters 550 and 551, Florida Statutes.
2. Respondent's address of record is 7921 North West 51st Street, Lauderdale, Florida 33351.
3. Fronton Holdings, LLC, d/b/a Casino Miami Jai-Alai, is a facility operated by a permit holder authorized to conduct pari-mutuel wagering and slot games in this state under Chapters 550 and 551, Florida Statutes.
4. On or about July 1, 2017, Respondent was issued a trespass warning and permanent exclusion from Casino Miami Jai-Alai.
5. Section 550.0251, Florida Statutes, provides, in relevant part:

(6) 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...

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

Signed this 17th day of September, 2018.

/s/ Charles Dewrell

CHARLES DEWRELL

Deputy Chief Attorney
Florida Bar No. 0102579

Charles.Dewrell@MyFloridaLicense.com

/s/ Louis Trombetta

LOUIS TROMBETTA

Chief Attorney
Florida Bar No. 0108119

Louis.Trombetta@MyFloridaLicense.com

Office of the General Counsel
Division of Pari-Mutuel Wagering
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-2202
Telephone: (850)-717-1585
Facsimile: (850) 921-1311

NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to Section 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.

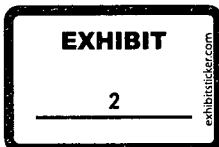
Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to Rule 28-106.2015, Florida Administrative Code. Pursuant to Rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> <i>Adel Acosta</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery 10-30-18</p>
<p>1. Article Addressed to:</p> <p style="text-align: center;">Adel Acosta 3380 NW 17th Avenue, Apt. 712 Miami, Florida 33142 2018-044704</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p style="text-align: center; font-size: 1.2em;">7006 2150 0005 6841 8140</p>

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540



U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

7006 2150 0005 6841 8140

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

10/23/18
Postmark
Here

Total Pos

Sent To
Street, Apt.
or PO Box
City, State

Adel Acosta
3380 NW 17th Avenue, Apt. 712
Miami, Florida 33142
2018-044704

PS Form 3800, August 2006 See Reverse for Instructions