

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.

Case No. 2018-055816

BERNICE Y. BLATCHE,

Respondent.

_____ /

FINAL ORDER

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

1. An Administrative Complaint was filed in this case on February 7, 2019, 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 U.S. certified mail on March 7, 2019. 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

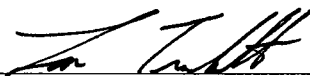
ORDERED and ADJUDGED:

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 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 16 day of April, 2019.



LOUIS TROMBETTA, DIRECTOR
Division of Pari-Mutuel Wagering
Department of Business and
Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-1035
Telephone: (850) 488-9130

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.

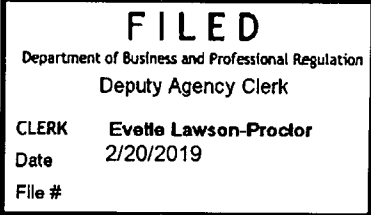
.CERTIFICATE OF SERVICE

I HEREBY CERTIFY this 18th day of April, 2019, that a true and correct copy of this Final Order on Waiver was provided to Respondent via electronic mail to:

Bernice Y. Blatche
720 S.W. 11th Court
Deerfield Beach, Florida 33441

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. 2018-055816

BERNICE Y. BLATCHE
(a/k/a Arnese Taylor),

Respondent.

FIRST AMENDED ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), files this First Amended Administrative Complaint against Bernice Y. Blatche, a/k/a Arnese Taylor (“Respondent”), and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and slot machine gaming pursuant to chapter 550 and 551, Florida Statutes.
2. Gulfstream Park Racing & Casino (“Gulfstream Park”) is a facility operated by a permitholder authorized to conduct pari-mutuel wagering and slot machine gaming in this state under chapters 550 and 551, Florida Statutes.
3. At all times material hereto, Respondent was a patron of Gulfstream Park.
4. On or about September 9, 2018, Respondent was permanently excluded from Gulfstream Park.
5. Section 550.0251(6), Florida Statutes, provides in relevant part:

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.

WHEREFORE, Petitioner respectfully requests the Division enter an Order permanently excluding Respondent from all licensed pari-mutuel facilities in the state of Florida together with any other relief permitted by chapters 550 and/or 551, Florida Statutes, and/or the rules promulgated thereto.

This First Amended Administrative Complaint for Case No. 2018-055816 is signed this 20th day of February, 2019.

/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. 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 RIGHT 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.

7018 1830 0001 6822 6436

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CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

2/7/19
Postmark
Here

Postage
\$ _____

Total Postage
\$ _____

Sent To
Street and A
City, State, Z

Bernice Yvette Blatche
720 S.W. 11th Court
Deerfield Beach, Florida 33441
2018-055816 PMW

EXHIBIT
2
exhibitsticker.com



FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 70181830000168228436

Remove X

Your item was delivered to an individual at the address at 2:38 pm on March 7, 2019 in DEERFIELD BEACH, FL 33441.

Delivered

March 7, 2019 at 2:38 pm
Delivered, Left with Individual
DEERFIELD BEACH, FL 33441

Tracking History



Feedback

March 7, 2019, 2:38 pm

Delivered, Left with Individual
DEERFIELD BEACH, FL 33441

Your item was delivered to an individual at the address at 2:38 pm on March 7, 2019 in DEERFIELD BEACH, FL 33441.

February 15, 2019

Redelivery Scheduled
DEERFIELD BEACH, FL 33441

February 12, 2019, 4:16 pm

Notice Left (No Authorized Recipient Available)
DEERFIELD BEACH, FL 33441

February 12, 2019

In Transit to Next Facility

February 11, 2019, 9:51 pm

Departed USPS Regional Facility
WEST PALM BEACH FL DISTRIBUTION CENTER

February 11, 2019, 12:30 am

Arrived at USPS Regional Facility
WEST PALM BEACH FL DISTRIBUTION CENTER

February 8, 2019, 10:43 pm

Arrived at USPS Regional Facility
TALLAHASSEE FL DISTRIBUTION CENTER