

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	4/4/2019
File #	2019-02972

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

Petitioner,

v.

Case No. 2019-001029

JONATHAN REILY SHARP,

Respondent.

_____ /

FINAL ORDER

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

1. An Administrative Complaint was filed in this case on February 25, 2019, alleging that Respondent violated certain provisions of Chapter 550, 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 certified mail on March 8, 2019. Proof of service is attached hereto as Exhibit "2" 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 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's PMW General Individual Occupational License, number 10948314-1022 is hereby **REVOKED**, and Respondent is **PERMANENTLY EXCLUDED** from all pari-mutuel facilities within 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 2 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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of April, 2019, a true and correct copy of this Final Order on Waiver was provided to Respondent at:

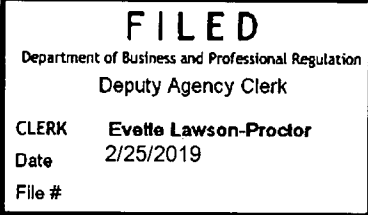
Jonathan Reily Sharp
1204 North River Street
Plains, Pennsylvania 18702

Brandon M. Nichols

AGENCY CLERK'S OFFICE

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.



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,

vs.

DBPR Case No. 2019-001029

JONATHAN REILY SHARP,

Respondent.

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Jonathan Reily Sharp ("Respondent") and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a PMW General Individual Occupational license, number 10948314-1022, issued by the Petitioner.
3. At all times material hereto, PPI, Inc. ("PPI") was a facility operated by a permitholder authorized to conduct pari-mutuel wagering in the State of Florida.
4. On or about January 1, 2019, Respondent was ejected and permanently excluded from PPI.
5. 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 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 supplied).

6. Based on the foregoing, Respondent is subject to permanent exclusion from all licensed pari-mutuel facilities in the State of Florida based on his permanent exclusion from PPI on January 1, 2019.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order permanently excluding Respondent from all licensed pari-mutuel and slot machine facilities in the State of Florida along with any other remedy provided by chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2019-001029 is signed this 22nd day of February, 2019.

/s/ Megan S. Silver
MEGAN S. SILVER
Deputy Chief Attorney
Florida Bar No. 115518
Megan.Silver@MyFloridaLicense.com

/s/ Louis Trombetta
LOUIS TROMBETTA
Chief Attorney
Florida Bar No. 108119
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.



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

Track Another Package +

Tracking Number: 70181830000168228597

Remove X

Your item was delivered at 3:28 pm on March 8, 2019 in WILKES BARRE, PA 18701.

Delivered

March 8, 2019 at 3:28 pm
Delivered
WILKES BARRE, PA 18701

Get Updates 

Text & Email Updates

Tracking History

Feedback

March 8, 2019, 3:28 pm
Delivered
WILKES BARRE, PA 18701
Your item was delivered at 3:28 pm on March 8, 2019 in WILKES BARRE, PA 18701.

Reminder to Schedule Redelivery of your item

March 2, 2019, 2:47 pm
Notice Left (No Authorized Recipient Available)
WILKES BARRE, PA 18702

March 2, 2019
In Transit to Next Facility

March 1, 2019, 7:17 am
Departed USPS Regional Facility
SCRANTON PA DISTRIBUTION CENTER

March 1, 2019, 1:45 am
Arrived at USPS Regional Facility
SCRANTON PA DISTRIBUTION CENTER

February 28, 2019, 11:58 am
Arrived at USPS Regional Facility
LEHIGH VALLEY PA DISTRIBUTION CENTER

February 27, 2019, 4:30 am
Departed USPS Regional Facility
TALLAHASSEE FL DISTRIBUTION CENTER

February 26, 2019, 9:41 pm
Arrived at USPS Regional Facility
TALLAHASSEE FL DISTRIBUTION CENTER

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