

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.: 2019-008989

DANIEL A. FLANDERS,

Respondent.

\_\_\_\_\_ /

FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), issues this Final Order against Daniel A. Flanders (“Respondent”) and states as follows:

1. An Administrative Complaint was filed in this case on April 5, 2019, alleging that Respondent violated section 551.109, 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 July 20, 2019.
3. Proof of service is attached hereto as “Exhibit 2” and incorporated by reference.
4. 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*.

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.

7. 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 proof of service, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED:

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

9. Respondent is PERMANENTLY EXCLUDED from all pari-mutuel facilities in the State of Florida.

10. This Final Order is effective on the date it is filed with the Agency Clerk of the Department of Business and Professional Regulation.

DONE and ORDERED this 20 day of August, 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 that a true and correct copy of this Final Order on Waiver was furnished by U.S. Mail on 26<sup>th</sup> day of August, 2019 to:

**Daniel A. Flanders**  
870 Southwest 6th Avenue  
Florida City, Florida 33034



\_\_\_\_\_  
AGENCY CLERK'S OFFICE

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	<b>Evette Lawson-Proctor</b>
Date	4/5/2019
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,

DBPR Case No. 2019-008989

v.

DANIEL A. FLANDERS,

Respondent.

---

**ADMINISTRATIVE COMPLAINT**

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Daniel A. Flanders ("Respondent"), and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and slot machine gaming pursuant to chapters 550 and 551, Florida Statutes.
2. At all times material hereto, Respondent's address of record is 2501 N.W. 56<sup>th</sup> Street, Apt. B, Miami, Florida 33142.
3. At all times material hereto, Respondent was a patron of Miami Casino, LLC.
4. Miami Casino, LLC is a facility operated by a permitholder authorized to conduct pari-mutuel wagering and operate slot machines in this state under chapters 550 and 551, Florida Statutes.
5. On or about March 19, 2019, Respondent was permanently ejected from Miami Casino, LLC.
6. Section 550.0251(6), Florida Statutes (2018), 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.

7. Based on the forgoing, Respondent is subject to exclusion from all pari-mutuel facilities within the state based on his ejection from Miami Casino, LLC on or about March 19, 2019.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order permanently excluding Respondent from all licensed pari-mutuel facilities in the State of Florida along with any other remedy provided by chapters 550, 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint in DBPR Case No. 2019-008989 is signed this 4<sup>th</sup> day of April, 2019.

/s/ James A. Lewis  
**JAMES A. LEWIS**  
Assistant General Counsel  
Florida Bar No. 1002349  
James.Lewis@MyFloridaLicense.com

/s/ Megan S. Silver  
**MEGAN S. SILVER**  
Deputy Chief Attorney  
Florida Bar No. 115518  
Megan.Silver@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 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 items 1, 2, and 3.
- 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.

1. Article Addressed to:

Daniel Antoine Flanders  
 870 S.W. 6<sup>th</sup> Avenue  
 Florida City, Florida 33034  
 2019-008989 PMW



9590 9402 4676 8323 2046 03

2. Article Number (Transfer from service label)

7017 2620 0000 3310 9504

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

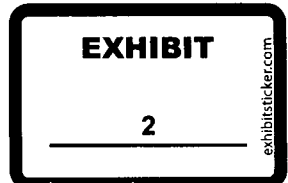
C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 No  
 If Yes, enter delivery address below:

**RECEIVED**  
 AUG 05 2019  
 Of: The General Counsel

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery





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

Track Another Package +

Tracking Number: 70172620000033109504

Remove X

Your item was delivered to an individual at the address at 4:12 pm on July 20, 2019 in HOMESTEAD, FL 33034.

**Delivered**

July 20, 2019 at 4:12 pm  
Delivered, Left with Individual  
HOMESTEAD, FL 33034

Get Updates

---

**Text & Email Updates**

---

**Tracking History**

**July 20, 2019, 4:12 pm**

Delivered, Left with Individual  
HOMESTEAD, FL 33034

Your item was delivered to an individual at the address at 4:12 pm on July 20, 2019 in HOMESTEAD, FL 33034.

**July 20, 2019**

In Transit to Next Facility

**July 19, 2019, 1:54 am**

Departed USPS Regional Facility  
OPA LOCKA FL DISTRIBUTION CENTER

**July 18, 2019, 4:58 am**

Arrived at USPS Regional Facility  
OPA LOCKA FL DISTRIBUTION CENTER

**July 17, 2019, 3:52 am**

Departed USPS Regional Facility  
TALLAHASSEE FL DISTRIBUTION CENTER

**July 16, 2019, 10:14 pm**

Arrived at USPS Regional Facility  
TALLAHASSEE FL DISTRIBUTION CENTER

Feedback



7017 2620 0000 3310 9504

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://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	\$

7/15/19

Postmark  
Here

Postage  
\$

Total Postage  
\$

Sent To  
Street and  
City, State,

Daniel Antoine Flanders  
870 S.W. 6<sup>th</sup> Avenue  
Florida City, Florida 33034  
2019-008989 PMW