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.: 2019-036389

STEVEN DWAYNE CASTLE,

Respondent.

FINAL ORDER

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

1. An Administrative Complaint was filed in this case on September 27, 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 U.S. mail on October 1, 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. On or about October 15, 2019, Respondent returned a signed Election of Rights form and selected “Option 3” which states that Respondent does not dispute the allegations of material fact in the Administrative Complaint and waives his right to any form of hearing. Respondent, by selecting this option, requests that a Final Order imposing a penalty and/or fine be entered in this case. A copy of the Election of Rights is attached hereto as Exhibit “3” and incorporated by reference.

5. Respondent has waived his right to request a hearing in which there is a disputed issue of material fact.

Having considered the Administrative Complaint, and Respondent’s waiver of right to a hearing or other resolution in this matter, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED:

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

7. Respondent is hereby PERMANENTLY EXCLUDED from all licensed pari-mutuel wagering facilities in the State of Florida.

8. 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.
This Final Order in DBPR Case Number 2019-036389 is DONE and ORDERED this 19th day of October, 2019.

[Signature]
LOUIS TROMBETTA, 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 on this 5th day of November, 2019, a true and correct copy of this Final Order on Waiver was provided to Respondent at:

Steven Dwayne Castle
5594 Broome Drive
Dublin, Ohio 43016

Brandon M. Nicholas
AGENCY CLERK'S OFFICE
Department of Business and Professional Regulation
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.

STEVEN DWAYNE CASTLE,

Respondent.

DBPR Case No.: 2019-036389

ADMINISTRATIVE COMPLAINT

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

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.

2. At all times material hereto, Respondent’s address was reported as 5594 Broome Drive, Dublin, Ohio 43016.

3. At all times material hereto, Dania Entertainment Center, LLC ("Dania Jai Alai") was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.

4. On or about June 17, 2019, Respondent was a patron of Dania Jai Alai.

5. On or about June 17, 2019, Respondent was ejected and permanently excluded from Dania Jai Alai.
6. 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).

7. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the division may exclude any person from any facility of a slot machine licensee 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 facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

8. Based on the foregoing, Respondent violated section 550.0251(6) and 551.112, Florida Statutes and is subject to permanent exclusion from all licensed pari-mutuel wagering facilities in the State of Florida based on his ejection from Dania Jai Alai, on June 17, 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 and 551, and 849, Florida Statutes, and/or
the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2019-036389 is signed this 26th
day of September, 2019.

/s/ Johnny P. ElHachem    /s/ Megan S. Silver
JOHNNY P. ELHACHEM    MEGAN S. SILVER
Senior Attorney    Chief Attorney
Florida Bar No. 1015837    Florida Bar No. 115518
Johnny.ElHachem@MyFloridaLicense.com    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 32399-1035
Telephone: (850) 717-1585
Facsimile: (850) 921-1311
NOTICE OF RIGHTS 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.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.
<table>
<thead>
<tr>
<th>SENDER: COMPLETE THIS SECTION</th>
<th>COMPLETE THIS SECTION ON DELIVERY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complete items 1, 2, and 3.</td>
<td>A. Signature</td>
</tr>
<tr>
<td>Print your name and address on the reverse so that we can return the card to you.</td>
<td>X</td>
</tr>
<tr>
<td>Attach this card to the back of the mailpiece, or on the front if space permits.</td>
<td></td>
</tr>
</tbody>
</table>
1. Article Addressed to:       | B. Received by (Printed Name)     |
| Steven Dwayne Castle          | Steve Castle                      |
| 5594 Broome Drive             | 10-1-19                            |
| Dublin, Ohio 43016            |                                   |
| 2019-036389 PMW               | C. Date of Delivery               |

D. Is delivery address different from item 1? □ Yes □ No

If YES, enter delivery address below: ___________  ___________  ___________  ___________

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<thead>
<tr>
<th>3. Service Type</th>
<th>4. Restrictions</th>
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<tr>
<td>☐ Adult Signature</td>
<td>☐ Restricted Delivery</td>
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PS Form 3811, July 2015 PSN 7530-02-000-9055 Domestic Return Receipt
USPS Tracking

Track Another Package +

Tracking Number: 7019014000062356033

Your item was delivered at 4:59 pm on October 1, 2019 in DUBLIN, OH 43016.

☑ Delivered
October 1, 2019 at 4:59 pm
Delivered
DUBLIN, OH 43016
Get Updates ✓

Text & Email Updates

Tracking History

October 1, 2019, 4:59 pm
Delivered
DUBLIN, OH 43016
Your item was delivered at 4:59 pm on October 1, 2019 in DUBLIN, OH 43016.

September 30, 2019, 10:54 am
Notice Left (No Authorized Recipient Available)
DUBLIN, OH 43016

September 30, 2019, 8:52 am
Arrived at Unit
DUBLIN, OH 43016

September 30, 2019, 3:36 am
Departed USPS Regional Facility
COLUMBUS OH DISTRIBUTION CENTER

September 29, 2019, 12:18 pm
Arrived at USPS Regional Facility
COLUMBUS OH DISTRIBUTION CENTER

Can’t find what you’re looking for?

Go to our FAQs section to find answers to your tracking questions.

-FAQs
STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DBPR v. STEVEN DWAYNE CASTLE

ELECTION OF RIGHTS

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option (1) I do not dispute the allegations of material fact in the Administrative Complaint. I wish to submit oral and written evidence in mitigation at a hearing pursuant to section 120.57(2), Florida Statutes ("informal hearing") and that this oral and written evidence be considered before any penalty and fines are imposed.

Option (2) I do dispute the allegations of material fact in the Administrative Complaint. This is a petition for a hearing involving disputed material facts pursuant to sections 120.569(2)(a) and 120.57(1), Florida Statutes, ("formal hearing") before an Administrative Law Judge of the Division of Administrative Hearings. I specifically dispute the following paragraphs in the Administrative Complaint (attach extra pages or write on the back if needed):

________________________________________

In addition to the above election for formal hearing, if you wish to enter into settlement negotiations, check the box below:

☐ Section 120.569(2)(a), Florida Statutes, requires the Department to send this case to the Division of Administrative Hearings (DOAH) for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement in order to enter into settlement negotiations with the Department.

Option (3) I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to any form of hearing. I request that a Final Order imposing a penalty and fines be entered in this case.

* (Please see statement on the back)

THIS IS A LEGALLY BINDING DOCUMENT. SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS.

Printed Name: Steven Dwayne Castle

Street Address: 5594 Broome Drive, Dublin, Ohio 43016

Telephone Number: 614.273.9253

E-mail: stucstl53@gmail.com

SIGNATURE

ATTORNEY OR QUALIFIED REPRESENTATIVE

Street Address (where service shall be made):

City: 
State: 
Zip:

Telephone Number: 
Facsimile Number (if any):

E-mail:

THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE DEPARTMENT WITHIN 21 DAYS AND SENT TO:

Office of the General Counsel
Department of Business and Professional Regulation
2601 Blair Stone Road, Tallahassee, FL 32399-2202

Attention: Deborah A. Matthews, Administrative Assistant II
Telephone: (850) 488-0062 Fax: (850) 921-1311
Email: Deboarah.Mathews@MyFloridaLicense.com

EXHIBIT

3
I am very sorry for my actions and behavior on June 17, 2019. I will fully abide by all conditions as set forth in this document.

Sincerely,

Steve Castle

10-10-19