

**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.: 2020-038008

MICHAEL MARIO STRACUZZA,

Respondent.

_____ /

FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), issues this Final Order against Michael Mario Stracuzza, (“Respondent”) as follows:

1. An Administrative Complaint was filed in this case on April 27, 2021, alleging that Respondent violated Section 550.0251(6), 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 May 6, 2021. 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 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.

5. 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 service of the Administrative Complaint with Election of Rights form, Explanation of Rights, and cover letter on Respondent along with Respondent's failure to respond, 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 pari-mutuel facilities within 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 Order.

This Final Order in DBPR Case Number 2020-038008 is DONE and ORDERED this 23 day of June, 2021.



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

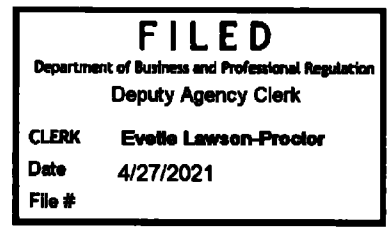
I HEREBY CERTIFY that on this 29th day of June, 2021, a true and correct copy of this Final Order has been sent via U.S. Mail to:

Michael Mario Stracuzza
2508 Rockfill Road
Fort Myers, Florida 33916

Brandon M. Nichols

AGENCY CLERK'S OFFICE
Department of Business and Professional Regulation

CC: Ebonie Lanier



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

**DEPARTMENT OF BUSINESS
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Petitioner,

DBPR Case No.: 2020-038008

v.

MICHAEL MARIO STRACUZZA,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Michael Mario Stracuzza (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 2508 Rockfill Road Fort Myers, Florida 33916.
3. At all times material hereto, Naples-Fort Myers Greyhound Racing and Poker was a facility operated by a permitholder authorized to conduct pari-mutuel wagering and cardroom operations in the State of Florida.
4. On or about July 19, 2020, Respondent was a patron of Naples-Fort Myers Greyhound Racing and Poker.
5. On or about July 19, 2020, Respondent was ejected and permanently excluded from Naples-Fort Myers Greyhound Racing and Poker.



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. Based on the foregoing, Respondent violated section 550.0251(6), Florida Statutes, and is subject to exclusion from all licensed pari-mutuel wagering facilities in the State of Florida based on his ejection from Naples-Fort Myers Greyhound Racing and Poker on or about July 19, 2020.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order excluding Respondent from all licensed pari-mutuel 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 2020-038008 is signed this 20th day of April 2021.

/s/ Emily A. Leiva

Emily A. Leiva
Assistant General Counsel
Florida Bar Number: 1025200
Department of Business and Professional Regulation
Office of the General Counsel
Division of Pari-Mutuel Wagering
2601 Blair Stone Road
Tallahassee, Florida 32399-2202
Telephone: (850) 717-1783
Facsimile: (850) 921-1311
Primary: Emily.Leiva@MyFloridaLicense.com
Secondary: Ebonie.Lanier@MyFloridaLicense.com

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.

Track Another Package +

Tracking Number: 70192970000061144706

Remove X

Your item was delivered to the front desk, reception area, or mail room at 2:24 pm on May 6, 2021 in FORT MYERS, FL 33916.

Delivered, Front Desk/Reception/Mail Room

May 6, 2021 at 2:24 pm
FORT MYERS, FL 33916

Feedback

Get Updates v

Text & Email Updates



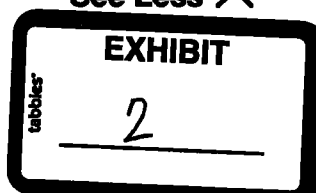
Tracking History



Product Information



See Less ^



Can't find what you're looking for?

Go to our [FAQs](#) section to find answers to your tracking questions.

7019 2970 0000 6334 4706

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Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee	
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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	\$ _____

5/4/2021

Postmark
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Postage	
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Total Postage	
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Sent To	
Street and Apt	
City, State, Zip	

Michael Mario Stracuzza
2508 Rockfill Road
Fort Myers, Florida 33916
AC - 2020-038008 - PMW

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:

Michael Mario Stracuzza
2508 Rockfill Road
Fort Myers, Florida 33916
AC - 2020-038008 - PMW



9590 9402 5538 9249 0438 16

2. Article Number (Transfer from service label)

7019 2970 0000 6114 4706

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
AL 1609

B. Received by (Printed Name) *AL* C. Date of Delivery *5/27/21*

D. Is delivery address different from item 1? Yes No
If Yes, address follows: _____

RECEIVED

MAY 27 2021

By *E. Lanier*
DBPR General Counsel

3. Service Type
- | | |
|--|---|
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Registered Mail™ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail Restricted Delivery |
| <input checked="" type="checkbox"/> Certified Mail® | <input checked="" type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input type="checkbox"/> Signature Confirmation™ |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | |
| <input type="checkbox"/> Insured Mail | |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) | |