

**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.: 2021-012989**

**ZUATNEY GONZALEZ,**

**Respondent.**

\_\_\_\_\_ /

**FINAL ORDER**

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

1. An Administrative Complaint was filed in this case on June 22, 2021, alleging that Respondent violated Section 550.0251(6) and 551.112, 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 July 12, 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 2021-012989 is DONE and ORDERED this 11 day of August, 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 18<sup>th</sup> day of August, 2021, a true and correct copy of this Final Order has been sent via U.S. Mail to:

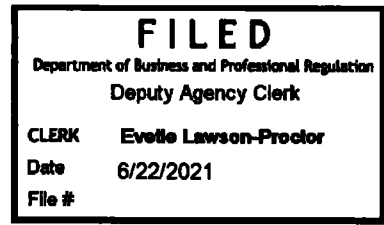
**Zautney Gonzalez**  
3924 N.W. 5th Street  
Miami, FL 33126

*Brandon M. Nichols*

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**AGENCY CLERK'S OFFICE**  
Department of Business and Professional Regulation

CC: Ebonie Lanier



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

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**ZUATNEY GONZALEZ,**

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\_\_\_\_\_ /

**ADMINISTRATIVE COMPLAINT**

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Zuatney Gonzalez ("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 20225 N.W. 52nd Place, Miami Gardens, Florida 33055.
3. At all times material hereto, South Florida Racing Association, LLC ("Hialeah Park Racing & Casino") was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about March 14, 2021, Respondent was a patron of Hialeah Park Racing & Casino.
5. On or about March 14, 2021, Respondent was ejected and permanently excluded from Hialeah Park Racing & Casino.



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 Sections 550.0251(6) and 551.112, Florida Statutes and is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida based on her ejection from Hialeah Park Racing & Casino on or about March 14, 2021.

WHEREFORE, Petitioner respectfully requests the Division Director enter an Order excluding Respondent from all licensed pari-mutuel facilities and any facility of a slot machine

licensee in the State of Florida, along with any other remedy provided by Chapters 550, 551, and 849, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2021-012989 is signed this 22nd day of June 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](mailto:Emily.Leiva@MyFloridaLicense.com)

Secondary: [Ebonie.Lanier@MyFloridaLicense.com](mailto: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:** 70192970000061137814

**Remove X**

Your item has been delivered to an agent for final delivery in MIAMI, FL 33126 on July 12, 2021 at 3:31 pm.

## **Delivered to Agent for Final Delivery**

July 12, 2021 at 3:31 pm  
MIAMI, FL 33126

Feedback

**Get Updates** v

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**Text & Email Updates**



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**Tracking History**



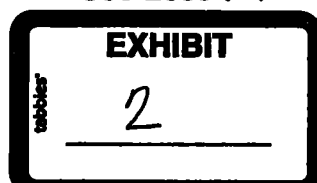
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**Product Information**



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**See Less** ^



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

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**OFFICIAL USE**

Certified Mail Fee

- Extra Services & Fees (check box, add fee as appropriate)
- Return Receipt (hardcopy) \$ \_\_\_\_\_
  - Return Receipt (electronic) \$ \_\_\_\_\_
  - Certified Mail Restricted Delivery \$ \_\_\_\_\_
  - Adult Signature Required \$ \_\_\_\_\_
  - Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

Total Postage on

Sent To

Street and Apt. No.

City, State, ZIP+4

**7-8-21**

Postmark  
Here

**Zuatney Gonzalez**  
3924 N.W. 5<sup>th</sup> Street  
Miami, Florida 33126  
AC- 2021-012989 - PMW

PS Form 3800, April 2015 PSN 7530-01-000-9047

See Reverse for Instructions

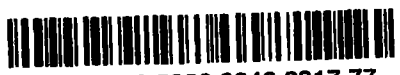
HTB2 ETT9 0000  
7019 2970 0000  
HTB2

**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:

**Zuatney Gonzalez**  
 3924 N.W. 5<sup>th</sup> Street  
 Miami, Florida 33126  
 AC- 2021-012989 – PMW



9590 9402 5538 9249 0317 77

2. Article Number (Transfer from service label)  
 7019 2970 0000 6113 7814

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 X C. Gonzalez  Agent  Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 17  Yes  
 if YES, enter delivery address below:  No

**RECEIVED**

JUL 26 2021

By: E. Lanier

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

Domestic Return Receipt