

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.

Case No.: 2021-030797

LAMAR POMPEY,

Respondent.

\_\_\_\_\_ /

FINAL ORDER

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

1. An Administrative Complaint was filed in this case on October 28, 2021, alleging that Respondent violated Section 551.0251(6), Florida Statutes. A true and correct copy of the Administrative Complaint is attached hereto as Exhibit “1” and incorporated by reference.

2. Service of the Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter was attempted on Respondent via certified U.S. mail, sent out on October 29, 2021 and December 2, 2021. Proofs of attempted service via certified mail is attached hereto as Exhibit “2” and incorporated by reference.

3. Notice of this matter was served upon Respondent on February 11, 2022, February 18, 2022, February 25, 2022, and March 4, 2022, via publication in the *Daily Business Review*, a publication in general circulation within Broward County, Florida (“Notice of

Action”). A true and correct copy of the Notice of Action is attached hereto as Exhibit “3” and incorporated by reference.

4. The Notice of Action informed Respondent that Petitioner filed an Administrative Complaint against them, provided instructions on how to receive a copy of the Administrative Complaint, and that contact would be required to dispute the allegations within the Administrative Complaint. *See* Section 120.569(1), Florida Statutes and Rule 28-106.111, Florida Administrative Code.

5. In addition, the Notice of Action informed Respondent that the failure to timely file a response to the Administrative Complaint would be deemed a waiver of right to a hearing or resolution in this matter.

6. To date, Respondent has not provided a response to the Administrative Complaint filed and served in this action.

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

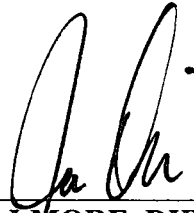
**ORDERED and ADJUDGED:**

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

8. Respondent is hereby **PERMANENTLY EXCLUDED** from all pari-mutuel facilities in 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 Order.

This Final Order in DBPR Case Number 2021-030797 is DONE and ORDERED this  
10th day of MAY, 2022.



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**JOE DILLMORE, 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](mailto: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 12<sup>th</sup> day of ~~April~~ <sup>May</sup> ~~2021~~ <sup>(2022)</sup>, a true and correct copy of this Final Order has been sent via U.S. Mail to:

**LAMAR POMPEY**  
5632 SW 36th Ave.  
West Park, FL 33023



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

CC: Ebonie Lanier

**FILED**  
Department of Business and Professional Regulation  
Deputy Agency Clerk  
CLERK **Evette Lawson-Proctor**  
Date 10/28/2021  
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.: 2021-030797

v.

LAMAR POMPEY,

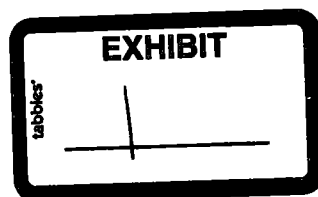
Respondent.

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Lamar Pompey ("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 held a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License, number 11666846-1055, issued by Petitioner.
3. At all times material hereto, Calder 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 August 3, 2021, Respondent was excluded from Calder Casino.
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. 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).

7. 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 his exclusion from Calder Casino on August 3, 2021.

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

This Administrative Complaint for DBPR Case Number 2021-030797 is signed this 27th day of October, 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.

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 5632 S.W. 36<sup>th</sup> Court  
 West Park, Florida 33023  
 AC - 2021030797 - PMW

PS Form 3800, April 2015 PSN 7530-02-000-9-017 See Reverse for Instructions

**EXHIBIT**  
 2

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<input type="checkbox"/> Adult Signature Restricted Delivery &	\$ _____

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5632 S.W. 36<sup>th</sup> Court  
West Park, Florida 33023  
AC - 2021030797 - PMW

**NOTICE OF ACTION**

**BEFORE THE DIVISION OF PARI-MUTUEL WAGERING**

IN RE: Violation of Sections 550.0251(6) and 551.112, Florida Statutes

LAMAR POMPEY  
5632 Southwest 36<sup>th</sup> Court  
West Park, Florida 33023

CASE NO.: 2021-030797

LICENSE NO.: 11666846

The Department of Business and Professional Regulation has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant II, Office of the General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, (850) 717-1663.

If no contact has been made by you concerning the above by March 11, 2022, the matter of the Administrative Complaint will be presented to the Director of the Division of Pari-Mutuel Wagering for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257-6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.

