

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.:2024-060380

LARRY SMITH,

Respondent.

_____ /

FINAL ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on August 6, 2025, for final agency action pursuant to sections 120.569 and 120.57(2), Florida Statutes. After a complete review of the records in this matter, the Commission makes the following findings of fact and conclusions of law:

1. An Administrative Complaint was filed in this case on February 10, 2025, alleging that Respondent is subject to exclusion from all licensed pari-mutuel facilities in the state of Florida pursuant to section 550.0251(6), Florida Statutes. A copy of the Administrative Complaint is attached hereto as Exhibit "1" and incorporated by reference.

2. On or about May 13, 2025, Respondent returned the Election of Rights form and selected "Option 2" which states that Respondent does dispute the allegations of material fact in the Administrative Complaint and requests a formal administrative hearing pursuant to section 120.57(1), Florida Statutes. A copy of the Election of Rights is attached hereto as Exhibit "2" and incorporated by reference.

3. On May 30, 2025, the Clerk of the Commission issued an Order of Dismissal without Prejudice and gave Respondent 15 days from the date of the Order of Dismissal to cure

the defect. A copy of the Order of Dismissal is attached hereto as Exhibit "3" and incorporated by reference.

4. There has been no response to the Order of Dismissal.

5. Section 120.569, Florida Statutes, requires the Commission to dismiss the request for formal hearing if the request does not meet the requirements of Rule 28-106.2015, Fla. Admin. Code.

Having considered the Administrative Complaint and Respondent's failure to respond to the Order of Dismissal without Prejudice to properly request a hearing, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED:

1. Respondent's request for a hearing is **DISMISSED** with prejudice.

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

3. Respondent is hereby **PERMANENTLY EXCLUDED** from all pari-mutuel facilities within the state of Florida.

This Final Order shall take effect upon being filed with the Clerk of the Commission.

DONE AND ORDERED this 7th day of August, 2025.

FLORIDA GAMING CONTROL COMMISSION



CLERK OF THE COMMISSION

On Behalf of

Julie I. Brown, Vice-Chair

Charles Drago, Commissioner

John D'Aquila, Commissioner

Tina Repp, Commissioner

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 Clerk of the Commission, 4070 Esplanade Way, Tallahassee, Florida 32399 (Email: clerk@flgaming.gov), 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) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the Clerk of the Commission.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7TH day of August, 2025, a true and correct copy of this Final Order has been sent via email to:

Larry Smith
LSMITH32918@GMAIL.COM



CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2024-060380

LARRY SMITH,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Larry Smith (“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 7865 West Highway 40, Lot 62, Ocala, Florida, 34482.
3. At all times material hereto, Ocala Breeders’ Sales Company, Inc. d/b/a OcalaBets and/or Ocala Bets, was a facility operated by a permitholder authorized by the Commission to conduct pari-mutuel wagering and cardroom operations in the state of Florida.
4. On or about October 8, 2024, Respondent was a patron of and was ejected from Ocala Bets.
5. On or about October 12, 2024, Respondent was permanently excluded from Ocala Bets.

EXHIBIT

1

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 this state, the commission 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 commission. The commission 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 added).

7. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities in the state of Florida under section 550.0251(6), Florida Statutes, based on his ejection from Ocala Bets on or about October 8, 2024.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities in the state of Florida, in accordance with section 550.0251(6), along with any other remedy provided by chapter 550 Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2024-060380 is signed this 7th day of February 2025.

/s/ Justin Hundersmarck

Justin Hundersmarck

Senior Attorney

FBN: 1039038

Florida Gaming Control Commission

Office of the General Counsel

Division of Pari-Mutuel Wagering

4070 Esplanade Way, Suite 250

Tallahassee, Florida 32399-2202

Phone: (850) 794-8063

Fax: +1 (850) 536-8709

Primary: Justin.Hundersmarck@flgaming.gov

Secondary: Ebonie.Lanier@flgaming.gov

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.