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FILED  
05-SEP-06 AM 10:37  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

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,

Final Order No. BPR-2005-04808 Date: **9-2-05**  
FILED  
Department of Business and Professional Regulation  
AGENCY CLERK  
Sarah Wachman, Agency Clerk

Petitioner,

By: Sarah Wachman

vs.

DBPR Case No. 2003096524  
DOAH Case No. 04-3039PL WFO  
CLOSED

JERRY M. BONETT,

AT

Respondent.

FINAL ORDER

The State of Florida, Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Division") hereby enters this Final Order for the above styled matter. In support of its motion, the Division would state as follows:

BACKGROUND

1. The Respondent was charged with failing to completely disclose his criminal history, a violation of sections 559.791 and 550.105(10), Florida Statutes.
2. A formal hearing was held on November 04, 2004, in the above-entitled matter.
3. A Recommended Order was issued on December 17, 2004. The parties were advised that written exceptions could be filed with the Director of Pari-Mutuel Wagering within 15 days of the date of the Recommended Order.

4. The Recommended Order recommends that Respondent's license be suspended for a period of three months.

5. The Petitioner filed exceptions to the Recommended Order.

#### FINDINGS OF FACT

6. The Division is the state agency charged with regulating pari-mutuel wagering, pursuant to Chapter 550, Florida Statutes.

7. On July 6, 2004, an Administrative Complaint was filed with the agency clerk alleging that the Respondent, Jerry M. Bonett, was responsible for a violation of Section 550.105(10), Florida Statutes, and Section 559.791, Florida Statutes, by failing to disclose his complete criminal history, which resulted in false material statements on his application for a pari-mutuel wagering occupational license. A true copy of the Administrative Complaint is hereby attached as Exhibit A.

8. Respondent timely executed an Election of Rights form in which Respondent requested a formal hearing pursuant to Section 120.57(1), Florida Statutes. A true copy of the Election of Rights form is hereby attached as Exhibit B.

#### CONCLUSIONS OF LAW

9. The Division has jurisdiction over the parties and subject matter of this case pursuant to Chapter 550, Florida Statutes.

10. Respondent has violated Sections 550.105(10) and 559.791, Florida Statutes.

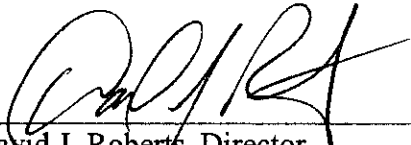
#### ORDER

Based upon the Findings of Fact and Conclusions of Law it is hereby:

ORDERED:

That Respondent's current pari-mutuel wagering license be revoked and that Respondent be declared ineligible for a pari-mutuel wagering occupational license for a period of five (5) years.

DONE AND ORDERED this 2<sup>ND</sup> day of SEPTEMBER 2005.

  
\_\_\_\_\_  
David J. Roberts, Director  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
1940 North Monroe Street  
Tallahassee, Florida 32399-1035  
(850) 488-9130

NOTICE OF RIGHT TO APPEAL UNLESS WAIVED

Unless expressly waived, any party substantially affected by this final order may seek judicial review by filing an original Notice of Appeal with the Clerk of the Department of Business and Professional Regulation, and a copy of the notice, accompanied by the filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal within thirty (30) days rendition of this order, in accordance with Rule 9.110, Fla. R. App. P., and section 120.68, Florida Statutes.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing with attachment has been provided by U.S. Certified Mail to Jerry M. Bonett, 7801 Willowbrook Court, Hudson, Florida 34667, this 2<sup>nd</sup> day of September, 2005.



Sarah Wachman, Agency Clerk  
Department of Business and Professional  
Regulation

Copies furnished to:

Office of Operations  
Licensing Section  
Investigations Section

John P. R. Washington, II, Office of the General Counsel  
Ralf E. Michels, Assistant General Counsel  
S. Thomas Peavey Hoffer, Assistant General Counsel

General Manager, Tampa Bay Downs  
Chief Inspector, Tampa Bay Downs  
Judges/Stewards  
Director of Security, Tampa Bay Downs

Racing Form

Division of Administrative Hearings