

Ehrlich Clifford
 Form 4
 September 16, 2009

FORM 4 UNITED STATES SECURITIES AND EXCHANGE COMMISSION
 Washington, D.C. 20549

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person *
 Ehrlich Clifford

2. Issuer Name and Ticker or Trading Symbol
 EMPIRE RESORTS INC [NYNY]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

C/O MONTICELLO CASINO AND RACEWAY, ROUTE 17B, P.O. BOX 5013

3. Date of Earliest Transaction (Month/Day/Year)
 06/16/2008

____ Director _____ 10% Owner
 Officer (give title below) _____ Other (specify below)
 President and GM of MRMI, Inc

(Street)

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)

MONTICELLO, NY 12701

Form filed by One Reporting Person
 Form filed by More than One Reporting Person

(City) (State) (Zip)

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Ownership (Instr. 4)
			Code	V	Amount	(A) or (D)	Price
Common Stock, \$.01 par value per share	06/16/2008		P		7,116	A	\$ 2.21
Common Stock, \$.01 par value per share	06/16/2008		P		2,884	A	\$ 2.26
Common Stock, \$.01 par value	06/18/2008		P		5,000	A	\$ 2.79

per share

Common Stock, \$.01 par value per share 08/14/2008 P 5,000 A \$ 3.6 30,000 D

Common Stock, \$.01 par value per share 08/14/2008 P 5,000 A \$ 3.75 35,000 D

Common Stock, \$.01 par value per share 09/17/2008 P 5,000 A \$ 3 40,000 D

Common Stock, \$.01 par value per share 09/14/2009 S 30,000⁽¹⁾ D \$ 3.9 10,000 D

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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(9-02)

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned
(e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Number of Derivative Securities Beneficially Owned (Instr. 6)
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Reporting Owners

Reporting Owner Name / Address

Relationships

Director 10% Owner Officer Other
President and GM of MRMI, Inc

Ehrlich Clifford
C/O MONTICELLO CASINO AND RACEWAY
ROUTE 17B, P.O. BOX 5013
MONTICELLO, NY 12701

Signatures

/s/ Ehrlich,
Clifford

09/15/2009

__Signature of
Reporting Person

Date

Explanation of Responses:

- * If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) This trade was effected pursuant to a Rule 10b5-1 trading plan.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.
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