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Form 4											
April 24, 2009 FORM 4 UNITED STATES SECURITIES AND EXCHANCE COMMISSION									OMB APPROVAL		
Washington, D.C. 20549								N OMB Number:	3235-0287		
if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. <i>See</i> Instruction 1(b).	bject to ction 16. rm 4 or rm 5 ligations ay continue. e Instruction 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								January 31, 2005 average urs per . 0.5		
(Print or Type Respo	onses)										
1. Name and Address of Reporting Person <u>*</u> 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)701 N. GREEN VALLEY PARKWAY, SUITE 200			3. Date of Earliest Transaction (Month/Day/Year) 04/23/2009			Director 10% Owner X Officer (give title Other (specify below) below) EVP and General Manager					
				4. If Amendment, Date Original Filed(Month/Day/Year)			 6. Individual or Joint/Group Filing(Check Applicable Line) _X_ Form filed by One Reporting Person Form filed by More than One Reporting Person 				
(City)	(State)	(Zip)	Tab	ole I - Non-J	Derivative	Securities A	cquired, Disposed	of, or Beneficia	lly Owned		
	ansaction Date nth/Day/Year)	2A. Deem Execution any (Month/Da	Date, if	3. Transactio Code (Instr. 8) Code V	4. Securiti nAcquired Disposed (Instr. 3, 4	(A) or of (D)	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 Indirect Beneficial Ownership (Instr. 4)		
Reminder: Report o	n a separate line	e for each cl	ass of sec	urities bene	Perso inform requir	ns who res nation cont ed to resp ys a curre	or indirectly. spond to the colle tained in this form ond unless the fo ntly valid OMB co	n are not rm	SEC 1474 (9-02)		

 Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned

 (e.g., puts, calls, warrants, options, convertible securities)

1. Title of	2.	3. Transaction Date 3A	A. Deemed	4.	5. Number of	6. Date Exercisable and	7. Title and Amount of
Derivative	Conversion	(Month/Day/Year) Ex	execution Date, if	Transactic	Derivative	Expiration Date	Underlying Securities
Security	or Exercise	an	ny	Code	Securities	(Month/Day/Year)	(Instr. 3 and 4)

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(Instr. 3)	Price of Derivative Security		(Month/Day/Year)	(Instr. 8	Acquired (A Disposed of (Instr. 3, 4, a 5)	(D)			
				Code	7 (A)	(D) Date Exercisable	Expiration Date	Title	Amount or Number of Shares
Stock Option (Right to Buy)	\$ 1.11	04/23/2009		А	300,000	<u>(1)</u>	04/22/2014	Common Stock, \$.01 par value per share	300,000

Reporting Owners

Reporting Owner Name / Address				Relationships	
			10% Owner	Officer	Other
Ehrlich Clifford 701 N. GREEN VALLEY I SUITE 200 HENDERSON, NV 89074			EVP and General Manager		
Signatures					
/s/ Ehrlich, Clifford	04/24/2009				

<u>**</u>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) 1/3 of the options vested on April 23, 2009. An additional 1/3 of the options vest on April 23, 2010. The remaining 1/3 of the options vest on April 23, 2011.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.