

# FINES AND SUSPENSIONS BULLETIN

Fri, Jan 20 - Thu, Jan 26

## PART ONE

The following action has been taken by the United States Trotting Association. This information is in an abbreviated form.

\*\*\* NO RECORDS FOUND \*\*\*

## PART TWO - MAJOR PENALTIES

The following actions published herein and imposed pursuant to the rules and regulations of the racing commissions of the various states and provinces are given full faith and credit and strictly enforced by the United States Trotting Association consistent with the provisions of USTA Rule 22, Sections 7 and 8 relative to RECIPROCITY OF PENALTIES. The fact that there is no separate action taken by the USTA in the form of a "ruling of reciprocity" shall not be construed as a failure to recognize and/or reciprocate with these published penalties. Please note that the following action is in an abbreviated form and that the USTA is not responsible for the accuracy or timeliness of reported penalties. Further information may be available by contacting the racing commission where the ruling was issued to determine the accuracy of the information.

**BINKLEY, ALESHA MARIE**  
ScD on 7/27/2022

**ASHVILLE, OH** **YOB 1994**  
FINED: \$2,500  
FULL - 60 DAYS, 3/1/2023 THRU 4/29/2023  
HORSE DISQUALIFIED - PLACED 10, PURSE  
REDISTRIBUTION

### POSITIVE TEST- POST RACE

OSRC 3769-18-01-B(1,10,13,15,16),18-02,17-43. Urine sample #906071 was tested by the OH Dept. Of Ag. ATL and found to contain 3-METHOXYTYRAMINE (3-MT), a Class 2 drug, at a concentration level of 7.2 mcg/ml of urine. This exceeds the Regulatory Threshold of 4.0 mcg/ml, adopted by OSRC for 3-MT. Sample #9606071 was collected from #4 Grand Ole Party, who finished 1st in race 16 on 7/27/22 at Scioto Downs and was trained by Ms. Binkley. Thus #4 is disqualified and placed 10th, the purse (\$6000) ordered returned and redistributed; Ms. Binkley is fined \$1000, given a full one year suspension (9/3/22-9/2/23) and referred to OSRC for any further recommendations. During her suspension, Ms. Binkley is denied the use and privileges of all grounds sanctioned by OSRC. All horses owned/trained by Ms. Binkley may only be transferred by the judges at Scioto Downs or OSRC. The fine and purse must be returned within 10 days of this ruling. Ms. Binkley has 48 hours to appeal this decision to the OSRC.

**Status as of 1/20/2023 - Subsequent Ruling - Ms. Binkley has dropped her appeal of ruling 22-SCD-97 and agreed to a settlement with the OSRC. Ms. Binkley is fined \$2500 which must be paid to the OSRC by 03/01/23. Ms. Binkley agrees to return the purse (\$6000) to Scioto Downs by 03/01/23 to be redistributed. Ms. Binkley also agrees to a full suspension from 03/01/23-04/29/23, with a 305 day stay of the previous 365 day suspension, provided there are no further violations within the next 365 days. All horses owned and/or trained by Ms. Binkley may only be transferred by the judges or the OSRC.**

**CORONA, GARY S**  
MR on 1/11/2023

**FLANDERS, NJ**  
FINED: \$200

**YOB 1961**

**MEDICATION PROCEDURE VIOLATION**

Rule 4120.2 (B) (4) Trainer Gary Corona is hereby fined the sum of \$200 for attempting to qualify the horse "Lady`s Big Stormont" off of Lasix without obtaining authorization from the Judges.

**CROSS, STEVEN J**  
ScD on 7/4/2022

**MACEDONIA, OH** **YOB 1955**  
FINED: \$500  
HORSE DISQUALIFIED - PLACED 8, PURSE  
REDISTRIBUTION

**POSITIVE TEST- POST RACE**

OSRC 3769-18-01-B(1,10,13,15,16), 3769 18-02, 3769 17-43. Sample # 905795 was tested by the Ohio Dept. of Agriculture ATL and was found to contain Triamcinolone Acetonide, a class 4 drug, at a concentration of 141 picograms per milliliter of plasma. That concentration exceeds the the Regulatory threshold of 100 picograms per milliliter of plasma adopted by the OSRC. Sample # 905795 was collected from #7 Black Magic, who finished 1st in race 13 on 7/4/22 at Scioto Downs and was trained by Steve Cross. Thus, #7 is disqualified and placed 8th, the purse (\$75,000) is to be redistributed, and Mr. Cross is fined \$1000. The fine must be paid within 10 days of this ruling. Mr. Cross has 48 hours to appeal this decision to the OSRC.

***Status as of 1/20/2023 - Subsequent Ruling - Mr. Cross has dropped his appeal of ruling 22-SCD-70 and agreed to a settlement with the OSRC. Mr. Cross is fined \$500 which must be paid to the OSRC by February 1, 2023. The purse (\$75,000) may now be redistributed accordingly.***

**IORDAN, LEO T**  
Fhld on 11/4/2022

**MILLSTONE TWP, NJ** **YOB 1964**  
FINED: \$1,000  
FULL - 7 DAYS, 1/21/2023 THRU 1/27/2023  
HORSE DISQUALIFIED, PURSE  
REDISTRIBUTION

**POSITIVE TEST- POST RACE**

New Jersey Racing Commission ("NJRC") licensee, Leo Jordan was the programmed trainer of the horse "Mac`s Secure" when it competed in the 1st race at Freehold Raceway on Friday, November 4,2022; The horse "Mac`s Secure" finished 1st in the 1st race on November 4, 2022; Following its performance in the 1st race at Freehold Raceway on November 4, 2022, the horse "Mac`s Secure" was selected to submit blood and urine samples for analysis; The urine sample collected from the horse "Mac`s Secure" on November 4, 2022 identified the presence of the prohibited substances Oxymorphone at a level of 3.0ng/mL; The presence of Oxymorphone in the horse "Mac`s Secure" on November 4, 2022 is in direct violation of NJRC rule N.J.A.C. 13:71-23.1; As a trainer licensed by the NJRC, Mr. Jordan; is the absolute insurer of and responsible for the condition of a horse within his care and custody; shall not enter or start a horse that has in its body any drug or substance foreign to the natural horse; h

**MORGAN, VIRGIL V JR**

**GROVE CITY, OH**

**YOB 1965**

ScD on 5/25/2019

FINED: \$3,000  
HORSE DISQUALIFIED - PLACED 10, PURSE  
REDISTRIBUTION

**POSITIVE TEST- POST RACE**

Scioto Downs Trainer VIRGIL MORGAN JR is hereby fined the sum of five hundred dollars (\$500.00) and issued a fifteen day full suspension from July 22, 2019 through August 5, 2019 for violation of O.S.R.C. Rule 3769-18.01(A)(2), 3769-18-01(B)(1),3769-18-01(B)(15-16-17),3769-18-02 & 3769-18-99. In addition purse money of seven thousand five hundred (\$7,500.00) dollars must be returned to Scioto Downs. Blood Sample #874238 on horse MISO FAST tested by the Analytical Toxicology Laboratory at the Ohio Department of Agriculture on June 20, 2019 revealed a presence of Gabapentin, an anticonvulsant. During his suspension Mr. Morgan Jr is denied the use and privileges of all grounds sanctioned by the OSRC. All horses trained by Mr. Morgan Jr are suspended and may only be transferred with permission from the judges at Scioto Downs or the executive director at the OSRC. If the fine is not paid and purse is not returned to the judges by 7/22/2019 you may be suspended or licensed revoked

***Status as of 1/24/2023 - Subsequent Ruling - Mr. Morgan withdrew his appeal and reached a settlement with the OSRC. Mr. Morgan will pay a fine of \$3000 to the OSRC by March 1, 2023 and will return the purse of \$7500 to Scioto Downs by March 1, 2023 to be redistributed accordingly. Mr. Morgan agrees to a stay of his 15 day full suspension provided there are no further medication violations within the next 365 days.***

DTN on 10/2/2021

FINED: \$3,000  
HORSE DISQUALIFIED - PLACED 9, PURSE  
REDISTRIBUTION

**POSITIVE TEST- POST RACE**

Blood sample #883298 collected at Hollywood Dayton on 10/2/21 from the horse STREET GOSSIP was found to have the presence of Diphenhydramine, an antihistamine. All purse money must be returned for redistribution (\$37,500.00). O.S.R.C.-3769-18-01(B)(10)&(13) 18-02 18-99. If the fine is not paid to the judges by 12/15/21 you may be suspended and/or license revoked by the commission.

***Status as of 1/24/2023 - Subsequent Ruling - Mr. Morgan withdrew his appeal and reached a settlement agreement with the OSRC. Mr. Morgan is to pay a fine of \$3000 to the OSRC by March 1, 2023, and return the purse of \$37,500 to Dayton Raceway by March 1, 2023 to be redistributed accordingly. Mr. Morgan agrees to a stay of his 15 day full suspension provided there are no further medication violations within the next 365 days.***

O'DONNELL, THOMAS A  
Nfld on 5/4/2021

BERLIN CENTER, OH  
FINED: \$500  
HORSE DISQUALIFIED, PURSE  
REDISTRIBUTION

YOB 1955

**POSITIVE TEST- POST RACE**

Mr. O`Donnell has withdrawn his appeal of ruling NFLD-2021-090 and agreed to a settlement with the OSRC. He agrees to pay a \$500.00 fine and return the purse (\$2,100.00) by March 1, 2023. O.S.R.C.-3769-18-01(B)(10)&(13) 18-02 18-99

### PART THREE - WHIPPING VIOLATIONS

**CHINDANO, JOSEPH J JR.**

**BLOOMINGBURG, NY**

**YOB 1999**

MR on 1/19/2023

FINED: \$500

DRIVING - 3 DAYS, 1/28/2023 THRU 1/30/2023

#### **EXCESSIVE OR INDISCRIMINATE USE OF WHIP**

Rule 4117.8 (C) Driver Joseph Chindano Jr. is hereby assessed a penalty of \$500 and suspended (driving privileges only) for 3 days for excessive use of the whip on #1 "Rozewood" in the 6th race on 01/19/2023 at Monticello Raceway. (3rd offense in this category in a 365-day period.)

**MILLER, BRETT A**

**BLACKLICK, OH**

**YOB 1973**

MVR on 1/10/2023

FINED: \$300

#### **INAPPROPRIATE USE OF THE WHIP**

OSRC 3769-17-17-B. While driving #6 Keene Idyllic during the stretch in race 14 on 1/10/23 at Miami Valley Raceway, Mr. Miller did whip the horse using other than wrist and elbow action. Mr. Miller is fined \$500, \$300 if he chooses not to appeal, which is due within 10 days of this ruling. Mr. Miller has 48 hours to appeal this decision to the OSRC.

***Status as of 1/26/2023 - Subsequent Ruling - Mr. Miller did not appeal this decision so the fine is reduced to \$300.***

**MYERS, HUNTER R**

**CHAGRIN FALLS, OH**

**YOB 1998**

Mea on 1/18/2023

FINED: \$200

#### **INAPPROPRIATE USE OF THE WHIP**

PA Code Title 7-205.409(c). While driving No. 9 TEMPTATION EYES in race 12 on 1/18/23 at the Meadows, driver Hunter Myers did whip the horse using other than wrist and elbow action while in the stretch. Mr. Myers is fined \$200.00 which is due within 10 days of this ruling. Mr. Myers has 10 days to appeal this decision to the Pennsylvania SHRC, Bureau of Standardbred Racing.

**PRESLEY, CHRIS S**

**THORNVILLE, OH**

**YOB 1995**

MVR on 1/19/2023

FINED: \$1,000

DRIVING - 15 DAYS, 1/29/2023 THRU 2/12/2023

#### **INAPPROPRIATE USE OF THE WHIP**

OSRC 3769-17-17-(B,J&L), 3769-17-18. While driving #5 Medoland Bosa from after the half until the finish in race 12 on 1/19/23 at Miami Valley Raceway, Mr. Presley did violate numerous whipping rules by whipping the horse excessively, using other than wrist and elbow action, whipping in an exaggerated manner, and not giving the horse time to respond from a previous application of the whip. Mr. Presley is fined \$1000 and given a 15 day

driving suspension (01/29/23 thru 02/12/23) due to numerous whipping violations within the previous 365 days, or a 5 day driving suspension (01/29/23 thru 02/02/23) if he chooses not to appeal. Any further whipping violations within the next 365 days could lead to a longer suspension and/or possible revocation of his 2023 OSRC driver`s license. The fine must be paid within 10 days of this ruling. Mr. Presley has 48 hours to appeal this decision to the OSRC.

**SILVESTRI, RALPH R III** **PEMBERTON, NJ** **YOB 1989**  
MR on 1/19/2023 FINED: \$100  
**EXCESSIVE OR INDISCRIMINATE USE OF WHIP**  
Rule 4117.8 (C) Driver Ralph Silvestri III is hereby assessed a penalty of \$100 for excessive use of the whip in the stretch on #5 "Wowie Zowie" in the 4th race on 01/19/2023 at Monticello Raceway (1st offense in this category in a 365-day period.)

#### PART FOUR - MINOR PENALTIES

**BOURGAULT, FREDERICK** **SCOTT, QC** **YOB 1998**  
MR on 1/17/2023 DRIVING - 3 DAYS, 2/2/2023 THRU 2/4/2023  
HORSE PLACED 8  
**CHANGING COURSE/CAUSING INTERFERENCE**

**BRENNAN, GEORGE** **FREEHOLD, NJ** **YOB 1967**  
YR on 1/25/2023 DRIVING - 3 DAYS, 1/27/2023 THRU 1/29/2023  
**CROWDING/PUTTING ANOTHER WHEEL UNDER ANOTHER HORSE OR DRIVER**

**CUSHING, MITCHELL D** **GROVE CITY, OH** **YOB 1998**  
MVR on 1/12/2023 FINED: \$200  
HORSE PLACED 3  
**CHANGING COURSE/CAUSING INTERFERENCE**  
MVR on 1/19/2023 FINED: \$200  
HORSE PLACED 8  
**JOSTLE, STRIKE OR HOOK WHEELS**

**DEATON, TIMOTHY J** **LEBANON, OH** **YOB 1996**  
Nfld on 1/15/2023 FINED: \$100  
**JOSTLE, STRIKE OR HOOK WHEELS**

**EBERSOLE, LUKE C.** **CHESTERVILLE, OH** **YOB 1990**  
Nfld on 1/17/2023 FINED: \$100  
**CROSSING OVER BEFORE THE START**

**HARDER, MARK A** **FREEHOLD, NJ** **YOB 1961**  
YR on 1/25/2023 FINED: \$250

## FAILURE TO HONOR DECLARATION

<b>KAUFFMAN, KAYNE K</b> MVR on 1/17/2023 <b>JOSTLE, STRIKE OR HOOK WHEELS</b>	<b>LEBANON, OH</b> FINED: \$200 HORSE PLACED 6	<b>YOB 1978</b>
<b>KREISER, CORY</b> Nfld on 1/15/2023 <b>FAILURE TO HAVE HORSE PROPERLY EQUIPPED</b>	<b>NORTHFIELD, OH</b> FINED: \$100	<b>YOB 1993</b>
<b>LAKE, ANGUS D</b> Nfld on 1/17/2023 <b>FAILURE TO KEEP BOTH FEET IN THE STIRRUPS</b>	<b>NORTHFIELD, OH</b> FINED: \$100	<b>YOB 1969</b>
<b>MACDONALD, ANTHONY A</b> Nfld on 1/15/2023 <b>INTERFERENCE/ CAUSING ANOTHER HORSE TO MAKE A BREAK</b>	<b>GUELPH, ON</b> FINED: \$350 HORSE PLACED 6	<b>YOB 1976</b>
<b>MERRIMAN, AARON E</b> Nfld on 1/17/2023 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>NORTHFIELD, OH</b> FINED: \$200 HORSE PLACED 3	<b>YOB 1978</b>
<b>MICALLEF, MICHAEL L</b> MVR on 1/15/2023 <b>JOSTLE, STRIKE OR HOOK WHEELS</b>	<b>CIRCLEVILLE, OH</b> FINED: \$200 HORSE PLACED 5	<b>YOB 1973</b>
<b>MILLER, BRETT A</b> MVR on 1/18/2023 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>BLACKLICK, OH</b> FINED: \$100	<b>YOB 1973</b>
<b>OLSEN, COLE N</b> OD on 8/17/2022 <b>LATE TO THE PADDOCK</b>	<b>POCOMOKE, MD</b> FINED: \$100 <i>APPEALED - 8/24/2022</i>	<b>YOB 2002</b>
<b>SEEKMAN, TRAVIS J</b> MVR on 1/17/2023 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>GASTON, IN</b> FINED: \$100	<b>YOB 1990</b>
<b>SHERIDAN, NEWTON M</b> Fhld on 1/14/2023	<b>MANCHESTER, NJ</b> FINED: \$50	<b>YOB 1978</b>

**FAILURE TO COME UP/STAY IN POSITION**

<b>SMITH, TREVOR GENE</b> MVR on 1/16/2023 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>WASHINGTON CH, OH</b> FINED: \$100	<b>YOB 1996</b>
<b>SUTTON, JOSHUA</b> MVR on 1/24/2023 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>CLARKSVILLE, OH</b> FINED: \$200	<b>YOB 1982</b>
<b>TETRICK, TRACE A</b> MVR on 1/16/2023 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>ANDERSON, IN</b> FINED: \$100	<b>YOB 1986</b>
<b>THARPS, THOMAS ERIC JR.</b> Nfld on 1/11/2023 <b>LATE TO THE PADDOCK</b>	<b>KETTERING, OH</b> FINED: \$100	<b>YOB 1992</b>
<b>THOMPSON, JASON E</b> RcR on 1/24/2023 <b>FAILURE TO DRIVE WHEN PROGRAMMED</b>	<b>HARTLEY, DE</b> FINED: \$150	<b>YOB 1993</b>
<b>WAGNER, JOHN W</b> RcR on 1/24/2023 <b>LATE TO THE PADDOCK</b>	<b>CENTERVILLE, MD</b> FINED: \$100	<b>YOB 1956</b>
<b>WIDGER, SAMUEL D</b> MVR on 1/12/2023 <b>INTERFERENCE/ CAUSING ANOTHER HORSE TO MAKE A BREAK</b> MVR on 1/15/2023 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b> MVR on 1/24/2023 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>BEECHER, IL</b> FINED: \$350 HORSE PLACED 6 FINED: \$100 FINED: \$200	<b>YOB 1963</b>
<b>WRENN, RONNIE H JR.</b> Mea on 1/13/2023 <b>CHANGING COURSE/CAUSING INTERFERENCE</b>	<b>CHAGRIN FALLS, OH</b> FINED: \$200 HORSE PLACED 6	<b>YOB 1986</b>