

# FINES AND SUSPENSIONS BULLETIN

Fri, Mar 17 - Thu, Mar 23

## PART ONE

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

**SULLIVAN, DONALD J**

USTA on 3/21/2023

### USTA MEMBERSHIP ACTION

Declared ineligible for membership for failure to answer correspondence regarding financial responsibility complaint (civil court judgment).

**ELMHERST, IL**

INELIGIBLE(INE) AS OF 3/21/2023

**YOB 1964**

## 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.

**DAILEY, DOREEN M**

M on 4/20/2019

**ROEBLING, NJ**

FINED: \$1,000

FULL - 10 DAYS, 9/24/2021 THRU 10/3/2021

**YOB 1964**

### MAKING A FRAUDULENT CLAIM

On Friday, April 20, 2019, a claim was entered on #10 ROCKAHOLIC in the 13th race at the Meadowlands Racetrack. Ms. Doreen Dailey was listed as the new trainer for the horse. Ms. Doreen Dailey warmed up #10 ROCKAHOLIC prior to the horse racing and getting claimed. Ms. Doreen Dailey is stabled in the same barn as the trainer of the horse Ms. Danielle Dailey. Ms. Doreen Dailey and Ms. Danielle Dailey are stabled together in one barn at Joi De Vie Farms. They also own a horse together and Ms. Doreen Dailey helps out with Ms. Danielle Dailey's horses whenever she can. There are no other trainers in the barn with Ms. Doreen Dailey and Ms. Danielle Dailey. Ms. Doreen Dailey in the investigation of the claim said she put in a claim for her new owner open claimant Stephanie Davis after learning of another trainer entering a claim on #10 ROCKAHOLIC. Ms. Doreen Dailey s hereby suspended for a period of 30 days from May 6, 2019 and through and including June 4, 2019. Ms. Dailey is also fined the

**Status as of 3/21/2023 - Subsequent Ruling - In Ruling No. 19MDH27, dated April 30, 2019, the Board of Judges at the Meadowlands Racetrack found trainers Danielle Dailey and Doreen Dailey in violation of N.J.A.C. 13:71-14.5, N.J.A.C. 13:71 14.10, and N.J.A.C. 13:71-7.29(a)(13) in connection with Doreen placing a claim on the horse ROCKAHOLIC, a horse trained by Danielle Dailey in order to prevent another licensee from claiming the horse. After conducting hearings, she Board of Judges imposed a 30-day suspension and \$2,500 fine for both Danielle Dailey and Doreen Dailey. The Board of Judges also declared the claim on ROCKAHLIC void. Danielle Dailey and Doreen Dailey appealed the judges' decision and the matter was transmitted to the Office of Administrative Law as a contested case. The judges' decision to void the claim was not appealed. On July 21, 2021, the New Jersey**

**Racing Commission adopted the initial decision, dated June 26, 2020, of Administrative Law Judge ("ALJ") Jeffrey A. Gerson. The ALJ found that it was Doreen Dailey's intention, when she entered the claim for ROCKAHOLIC, to prevent another Licensee from being successful with his claim. The ALJ concluded that Doreen Dailey violated N.J.A.C. 13:71-14:10 and N.J.A.C. 3:71- 7.29(a)(13) but reduced the penalties imposed on her to include a 10 day suspension and \$1,000 fine. Therefore, Doreen M. Dailey, is hereby suspended for a period of 10 days, beginning September 24, 2021 through and including October 3, 2021 and fined the sum of \$1,000 to be paid on or before October 3, 2021. During the period of suspension, Ms. Dailey is denied access to all the grounds that are under the jurisdiction of the NJRC for any and all purposes. Related rulings: 19MDH27, dated April 30, 2019, and 19TRH21, dated May 17, 2019. The fine of \$1,000 was paid on March 26, 2022.**

**MILLER, ERVIN M**  
M on 2/11/2023

**WIND GAP, PA** **YOB 1966**  
FINED: \$500  
FULL - 15 DAYS, 3/14/2023 THRU 3/28/2023  
HORSE DISQUALIFIED, PURSE  
REDISTRIBUTION

#### **POSITIVE TEST- POST RACE**

Erv Miller was the programmed trainer of the horse ROCKIN MARTY A when he raced in the 13th race at the Meadowlands Racetrack on February 11, 2023. Following this race, ROCKIN MARTY A was required to submit blood samples for analysis. A report from Industrial Laboratories identified the presence of Phenylbutazone above the allowable limits. As a result, Mr. Miller is issued a full suspension of his NJRC license for a period of fifteen (15) days and fined the sum of five hundred (\$500.00) dollars. Said suspension shall begin on March 14, 2023 and run through March 28, 2023, inclusive. During the period of suspension, Mr. Miller is denied all access to all grounds that are under the jurisdiction of the NJRC for any and all purposes. Mr. Miller has waived his right to split sample testing as well as his right to a hearing with the Board of Judges. Consistent with N.J.A.C.13:71-23.7, the horse ROCKIN MARTY A is hereby disqualified from sharing in the purse on February 11, 2023. The fine associated with this ruling must be received by the New Jersey Racing Commission on or before March 28, 2023. MMV points -1/2 point Violation of N.J.A.C 13:71-23.1(a)(b)(14) Violation of N.J.A.C.13:71-23.6(a)(b)(c)(d) Violation of N.J.A.C. 13:71-23.7(a)(b)(c)(d) Violation of N.J.A.C. 13:71-23.8 (f)1(g)1

**ORTIZ, BENJAMIN**  
PcD on 2/8/2021

**ROCHESTER, NY** **YOB 1973**  
FINED: \$50  
INDEFINITE SUSPENSION(IND) AS OF 3/21/2021

#### **FAILURE TO OBTAIN PROPER LICENSE**

PA Title 7-203.11(e) Mr. Ortiz has failed to complete his licensing requirements in Pennsylvania for 2021. He is fined \$50.00 and suspended indefinitely starting on 3/21/21 and will remain suspended until he completes his licensing requirements and pays his fine. **Status as of 3/23/2023 - Amendment - Benjamin Ortiz has paid his fine and completed licensing requirements. As of 3/23/2023 he is restored to good standing in PA.**

**SHAND, ROSS JAMES**  
OD on 7/5/2012

**PENNS GROVE, NJ**  
RESTORED TO GOOD STANDING(RES) AS OF  
1/14/2021

**YOB 1968**

**POSITIVE TEST - ILLEGAL SUBSTANCE TEST**

Mr. Ross James Shand`s Maryland Racing Commission License shall be suspended for an indefinite period commencing July 19,2012 and may apply for reinstatement only in the discretion of the Commission following completion of a certified drug rehabilitation program approved by the Md. Racing Commission. For testing positive on Ocean Downs human urine sample H-0003 dated July 5, 2012 which contained 9-carboxy-11-nor-delta9-tetrahydrocannabinol and/or derivatives thereof. COMAR:09.10.03.06 G.

***Status as of 1/14/2021 - Subsequent Ruling - Mr. Shand has been restored to good standing with the Maryland Racing Commission as of 12/30/2020. COMAR: .09.10.03.05 F.(2).***

**PART THREE - WHIPPING VIOLATIONS**

**ATHEARN, MATTHEW M**  
Stga on 3/13/2023

**CUMBERLAND, ME**  
FINED: \$100

**YOB 1998**

**EXCESSIVE OR INDISCRIMINATE USE OF WHIP**

Mr. Athearn while driving #1 CARRACCI HANOVER in the 13th Race at Saratoga Harness on March 13, 2023, did whip his horse in an excessive manner in the stretch. The fine is \$100 (1st offense). Further whipping violations will result in greater penalties.

**BECKWITH, BRETT M**  
Stga on 3/19/2023

**WILTON, NY**  
FINED: \$100

**YOB 2003**

**EXCESSIVE OR INDISCRIMINATE USE OF WHIP**

Mr. Beckwith while driving #6 MISSILE SEELSTER in the 13th Race at Saratoga Harness on March 19, 2023, was in violation of the whipping rule at the top of the stretch. The fine is \$100 (1st offense). Further whipping violations will result in greater penalties.

**WESTBROOK, HENRY H III**  
Stga on 3/13/2023

**MIDDLE GROVE, NY**  
FINED: \$100

**YOB 1969**

**EXCESSIVE OR INDISCRIMINATE USE OF WHIP**

Mr. Westbrook while driving #7 PARALLEL LINE in the 5th Race at Saratoga Harness on March 13, 2023, did whip his horse in an excessive manner in the stretch. The fine is \$100 (1st offense). Further whipping violations will result in greater penalties.

**WISHER, ADRIAN A JR.**  
RcR on 3/21/2023

**MIDDLETOWN, DE**  
FINED: \$100

**YOB 1990**

**EXCESSIVE OR INDISCRIMINATE USE OF WHIP**

Driver Adrian Wisher Jr is fined \$100.00 for excessive use of the whip while driving ROCK IDOL in the 11th race on March 21st, 2023 at Rosecroft Raceway. All fines are due within

10 days of ruling or Maryland Racing Commission licensee will be suspended until payment is received. COMAR: 09.10.03.03 A(14)

#### PART FOUR - MINOR PENALTIES

<b>ATHEARN, MATTHEW M</b> Stga on 3/18/2023 <b>KICKING A HORSE</b> Stga on 3/20/2023 <b>FAILURE TO DRIVE WHEN PROGRAMMED</b>	<b>CUMBERLAND, ME</b> FINED: \$100  FINED: \$100	<b>YOB 1998</b>
<b>BECKWITH, BRETT M</b> Fhld on 3/17/2023 <b>FAILURE TO DRIVE WHEN PROGRAMMED</b>	<b>WILTON, NY</b> FINED: \$500	<b>YOB 2003</b>
<b>BROWN, JILL E</b> MVR on 3/16/2023 <b>INACCURATE PROGRAM INFORMATION</b>	<b>CHARLESTON, IL</b> FINED: \$50	<b>YOB 1966</b>
<b>CARTER, STEVEN M</b> MVR on 3/22/2023 <b>FAILURE TO HAVE HORSE PROPERLY EQUIPPED</b>	<b>LONDONDERRY, OH</b> FINED: \$100	<b>YOB 1966</b>
<b>DAUPLAISE, JEFFREY T</b> Fhld on 3/11/2023 <b>CHANGING COURSE/CAUSING INTERFERENCE</b>	<b>WEST ORANGE, NJ</b> FINED: \$200	<b>YOB 1961</b>
<b>EBERSOLE, LUKE C.</b> Nfld on 3/15/2023 <b>CHANGING COURSE/CAUSING INTERFERENCE</b>	<b>CHESTERVILLE, OH</b> FINED: \$200 HORSE PLACED 6	<b>YOB 1990</b>
<b>ELLIS, TRAVIS W</b> CaIX on 2/17/2023 <b>OTHER</b>	<b>TRURO, NS</b> FINED: \$100	<b>YOB 1992</b>
<b>ERZENE, KUBI MICHAEL</b> Fhld on 2/10/2023 <b>FAILURE TO KEEP BOTH FEET IN THE STIRRUPS</b>	<b>PEMBERTON, NJ</b> FINED: \$100	<b>YOB 1992</b>
<b>ESTRADA, ISRAEL</b> Fhld on 3/17/2023 <b>FAILURE TO HAVE HORSE PROPERLY EQUIPPED</b>	<b>CRANBURY, NJ</b> FINED: \$100	<b>YOB 1984</b>

<b>HARRIS, ANDREW S</b> Fhld on 3/11/2023 <b>FAILURE TO HAVE HORSE PROPERLY EQUIPPED</b>	<b>ALLENTOWN, NJ</b> FINED: \$100	<b>YOB 1984</b>
<b>LONG, CHRIS H</b> Stga on 3/13/2023 <b>KICKING A HORSE</b>	<b>SARATOGA SPRINGS, NY</b> FINED: \$100	<b>YOB 1967</b>
<b>MCCOWN, CAMERON L</b> MVR on 3/16/2023 <b>IMPROPER CONDUCT OR LANGUAGE TO AN OFFICIAL</b>	<b>OSTRANDER, OH</b> FINED: \$500	<b>YOB 1988</b>
<b>MEZA, MICHAEL</b> CaIX on 2/17/2023 <b>OTHER</b>	<b>MIDDLETOWN, NY</b> FINED: \$100	<b>YOB 2000</b>
<b>NAPOLITANO, ANTHONY J</b> PcD on 3/18/2023 <b>TURN THE HORSE ABRUPTLY AFTER THE FINISH OF THE RACE IN ORDER TO RETURN TO THE PADDOCK OR BARN AREA.</b>	<b>NESCOPECK, PA</b> FINED: \$200	<b>YOB 1981</b>
<b>NAPOLITANO, GEORGE JR</b> DD on 3/16/2023 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b> PcD on 3/19/2023 <b>KICKING A HORSE</b> PcD on 3/19/2023 <b>KICKING A HORSE</b>	<b>BOCA RATON, FL</b> FINED: \$100 HORSE PLACED 7 FINED: \$200 FINED: \$200	<b>YOB 1966</b>
<b>PLANO, LUKE</b> CaIX on 3/11/2023 <b>FAILURE TO KEEP BOTH FEET IN THE STIRRUPS</b>	<b>SACRAMENTO, CA</b> FINED: \$100	<b>YOB 1980</b>
<b>PYOTT, JOHN R</b> Fhld on 3/11/2023 <b>FAILURE TO HAVE HORSE PROPERLY EQUIPPED</b>	<b>VINELAND, NJ</b> FINED: \$100	<b>YOB 1962</b>
<b>ROBERTS, JONATHAN W</b> RcR on 3/16/2023 <b>FAILURE TO KEEP BOTH FEET IN THE STIRRUPS</b>	<b>HARRINGTON, DE</b> FINED: \$200	<b>YOB 1981</b>
<b>ROSS, JORDAN M</b>	<b>COVINGTON, TN</b>	<b>YOB 1997</b>

**MVR on 3/20/2023**

**FINED: \$350  
HORSE PLACED 9**

**INTERFERENCE/ CAUSING ANOTHER HORSE TO MAKE A BREAK**

**SHETLER, DANIEL LEE**

**URBANA, OH**

**YOB 1979**

**MVR on 3/19/2023**

**FINED: \$100**

**LATE DRIVER CHANGE**

**SMITH, JEREMY R**

**WASHINGTON CH, OH**

**YOB 1980**

**MVR on 1/2/2023**

**FINED: \$250**

**PARTICIPATING WITHOUT A VALID LICENSE**

**SMITH, TREVOR GENE**

**WASHINGTON CH, OH**

**YOB 1996**

**MVR on 3/21/2023**

**FINED: \$200**

**JOSTLE, STRIKE OR HOOK WHEELS**

**STAFFORD, ARTHUR C JR**

**FELTON, DE**

**YOB 1966**

**DD on 3/22/2023**

**FINED: \$100**

**FAILURE TO SET AND MAINTAIN A PROPER PACE**

**WRENN, RONNIE H JR.**

**CHAGRIN FALLS, OH**

**YOB 1986**

**Nfld on 3/18/2023**

**FINED: \$100**

**INSIDE THE EURO RAIL / PYLON VIOLATION**