

FINES AND SUSPENSIONS BULLETIN

Fri, Aug 18 - Thu, Aug 24

PART ONE

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

MACKINNON, RYAN M

BUFFALO, NY

YOB 1989

USTA on 8/21/2023

DENIAL(DEN) AS OF 8/21/2023

USTA MEMBERSHIP ACTION

Membership denied pursuant to the provisions of Article 1, Section 4(a) of the Association bylaws.

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.

ALAGNA, TONY P

HOWELL, NJ

YOB 1972

M on 2/28/2020

FINED: \$1,000...*STAYED*

FULL - 45 DAYS, 8/15/2020 THRU

9/28/2020...*STAYED*

HORSE DISQUALIFIED, PURSE

REDISTRIBUTION...*STAYED*

POSITIVE TEST- POST RACE

Anthony Alagna was the programmed trainer of the horse #8 ODD`S ON ST LUCIE when it competed in the 9th race on Friday, February 28, 2020. ODD`S ON ST LUCIE finished 2nd in the 9th race and as result, submitted a post-race urine sample for analysis. The urine sample collected identified the presence of the prohibited substance Gabapentin. Mr. Alagna per N.J.A.C 13:71-23.4(d) requested a split sample of the post-race urine sample collected be sent to the Texas A & M Medical Diagnostic Laboratory. Gabapentin was detected in the sample LC-MS/MS at a concentration of 9.3+ 2.0 nanograms per milliliter. The presence of Gabapentin in the horse #8 ODD`S ON ST LUCIE is in direct violation of the New Jersey Racing Commission rule N.J.A.C.13:71-23.1. Consistent with N.J.A.C.13:71-23.7, the horse #8 ODD`S ON ST LUCIE is hereby disqualified from sharing in the purse from the 9th race on Friday, February 28, 2020. The purse is hereby ordered to be redistributed among the remaining finishers.

Status as of 8/23/2023 - Stay - Anthony Alagna withdrew his appeal in Anthony Alagna v. New Jersey Racing Commission, OAL Docket No. RAC-07844-2020N, which resulted in the OAL returning his case file to the New Jersey Racing Commission. At issue in the appeal was Ruling No. 20MDH49 in which the Board of Judges at the Meadowlands Racetrack imposed a forty-five day suspension, \$1,000 fine, disqualification of the horse "Odd's On St Lucie," loss of purse and 2 MMV points for violation of N.J.A.C. 13:71-23.1, and N.J.A.C. 13:71-23.6(a)(b)(c)(d) in connection with a post-race positive test result revealing the presence of Gabapentin in the horse

"Odd's On St Lucie" after the 9th race on Friday, February 28, 2020. In Ruling No. 23TRH27, dated August 2, 2023, the New Jersey Racing Commission ("NJRC") ordered the imposition of the forty-five day suspension, \$1,000 fine, disqualification of the horse, loss of purse and 2 MMV points. By letter dated August 18, 2023, counsel for Mr. Alagna informed the NJRC that the appeal had been mistakenly withdrawn from the OAL. As a result, the NJRC hereby vacates Ruling No. 23TRH27 and has retransmitted Mr. Alagna's appeal of Ruling No. 20MDH49, dated August 5, 2020, to the OAL for a de novo hearing. The stay of the penalties originally granted in Ruling No. 20TRH18, dated August 12, 2020, remains in place.

BROWN, JILL E
DuQ on 6/30/2023

CHARLESTON, IL
FINED: \$1,000
HORSE DISQUALIFIED, PURSE
REDISTRIBUTION

YOB 1966

LOW OR EXCESS LEVEL OF AUTHORIZED MEDICATION

An analysis performed by the UIC Forensic Lab of the blood sample (sample #138081), obtained from the Char The Star, 1st place finisher in 1st race at Du quoin on 30 June 2023, revealed the presence of Flunixin at a concentration of 255.2 +/-35.7 ng/ml. The threshold for Flunixin in the state of Illinois is 5 ng/ml. Pursuant to USTA rule 21.06 (Trainer Absolute insurer), USTA rule 21.08 (Purse Forfeiture) and USTA rule 21.01 (Testing of horses), Trainer Jill Brown is hereby fined \$1000, which has been paid, Char The Star shall be disqualified, and the purse shall be redistributed as follows: Char The Star 1 pl Dq, Mango Bud 2 pl 1, Katdemic 3 pl 2, Hawkeye Dewey 4 pl 3, Fear The Soldier 5 pl 4, Loyztrotnbro 6 pl 5.

DALEY, ANN-MARI
NJRC on 6/23/2023
BAD CHECK

LAKEWORTH, FL
FINED: \$45

YOB 1960

On June 23, 2023, Ms. Daley issued check number 1371 in the amount of \$250.00 payable to the New Jersey Racing Commission. Upon deposit, this check was not honored by the financial institution the funds were drawn upon. As a result, Ms. Daley is hereby fined the sum of \$45.00 for violation of Racing Commission rule N.J.A.C. 13:71-1.21. Ms. Daley is hereby ordered to submit payment of \$295.00, which consists of original payment, fine and returned check fee. This payment must be made by certified check or money order and is due no later than August 1, 2023.

DEVER, JEFFREY S
Crydn on 6/15/2023

CONVERSE, IN
HORSE DISQUALIFIED, PURSE
REDISTRIBUTION

YOB 1980

POSITIVE TEST- POST RACE

An analysis of the test sample obtained from FAST FEET following its first-place finish in the tenth race at the Harrison County Fair in Corydon, IN on 6/15/23 revealed the presence of Phenylbutazone exceeding the allowed limits in accordance with the standard used in Indiana County Fair Races as prescribed by the Indiana Horse Racing Commission Rules 7

IAC 8-1-4.2. Jeffrey Dever, trainer of FAST FEET, was advised of the positive test and of his rights to split sample testing. Trainer Dever chose to waive his right to send a split sample. The purse money won by FAST FEET is hereby ordered forfeited and redistributed among the horses according to their order of finish.

DI BENEDETTO, ROBIN E

HONESDALE, PA

YOB 1966

MR on 6/21/2023

FINED: \$200

FIGHTING

Trainer Robin Dibenedetto is hereby fined the sum of \$200 for being involved in a physical altercation with other licensees in the Paddock at Monticello Raceway on 6/21/23. Ms. Dibenedetto is hereby placed on probation for the remainder of 2023, and any further violations of this nature will result in greater penalty up to and including immediate suspension.

DRENNAN, NIK R

ALLENTOWN, NJ

YOB 1982

Fhld on 1/13/2023

FINED: \$500...STAYED

FULL - 15 DAYS, 8/25/2023 THRU

9/8/2023...STAYED

POSITIVE TEST- POST RACE

As a result of the administrative hearing conducted on June 8, 2023 the Board of Judges has determined that: New Jersey Racing Commission ("NJRC") licensee, Nik Drennan was the programmed trainer of the horse "Sweet Soul David" when it competed in the 9th race at Freehold Raceway on Friday, January 13, 2023; The horse "Sweet Soul David" finished 1st in the 9th race on January 13, 2023; Following its performance in the 9th race at Freehold Raceway on January 13, 2023 the horse "Sweet Soul David" was selected to submit blood and urine samples for analysis; The blood sample collected from the horse "Sweet Soul David" on January 13, 2023 identified the presence of the substance Dexamethasone above the allowable threshold; The presence of Dexamethasone above the allowable limits in the horse "Sweet Soul David" on January 13, 2023 is in direct violation of NJRC rule N.J.A.C. 13:71-23.1; Mr. Drennan, per N.J.A.C 13:71-23.4(d), requested a split sample of the post-race blood sample collected on "Sweet Soul David" from the 9th race on January 13, 2023 be sent to Texas A&M Veterinary Medical Laboratory. The lab at Texas A&M Veterinary Medical Laboratory confirmed the presence of Dexamethasone in the sample above the allowable threshold; As a trainer licensed by the NJRC, Mr. Drennan; 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; has the duty to be familiar with medication rules of the Commission and with any drug or substance foreign the natural horse administered to said horse at his direction or while in his custody and care; As a result of the positive post-race blood analysis, Mr. Drennan is in violation of N.J.A.C. 13:71-23.1(a)(b)(c)(d), N.J.A.C 13:71-23.4(d), N.J.A.C 13:71-23.6(a)(b)(c)(d) and N.J.A.C. 13.71-23.7(a)(b) as such, Mr. Drennan is suspended for a period of fifteen

Status as of 8/17/2023 - Stay

KOCH, KENNETH F

BULLVILLE, NY

YOB 1964

MR on 3/29/2023

FINED: \$250

LOW OR EXCESS LEVEL OF AUTHORIZED MEDICATION

Kenneth Koch, as trainer of record for the horse "Apex Seelster" that qualified on 3/29/23 at Monticello Raceway, is hereby fined the sum of \$500 - Post-qualifier analysis on the sample submitted resulted in a positive finding for Dexamethasone at a level higher than the allowable threshold. The horse, "Apex Seelster," must re-qualify and submit a negative sample for the above-mentioned substance before being allowed to participate in further racing in the State of New York. Having appeared before a representative of the NYSGC and waived the right to a formal hearing and appeal, the fine is hereby reduced to \$250. (1st offense in this category in a 365-day period)

LOGOTHETY, MICHELLE L

MONTICELLO, NY

YOB 1980

MR on 6/21/2023

FINED: \$200

FIGHTING

Groom Michelle Logothety is hereby fined the sum of \$200 for being involved in a physical altercation with other licensees in the Paddock at Monticello Raceway on 6/21/23. Ms. Logothety is hereby placed on probation for the remainder of 2023, and any further violations of this nature will result in greater penalty up to and including immediate suspension

LUTHER, TODD A

COMMERCIAL POINT, OH

YOB 1985

MVR on 5/6/2023

FINED: \$1,000

**FULL - 15 DAYS, 8/30/2023 THRU 9/13/2023
HORSE DISQUALIFIED - PLACED 7, PURSE
REDISTRIBUTION**

POSITIVE TEST- POST RACE

OSRC 3769-18-01-B(1,10,13,15,16), 3769-18-02, 3769-17-43. Blood sample #915194 was tested by the Ohio Dept. of Agriculture ATL and was found to contain Prednisolone, a Class 4 drug, at a concentration of 3.46 nanograms per milliliter of plasma, which exceeds the Regulatory threshold of 1 nanogram per milliliter adopted by the OSRC. Blood sample #915194 was provided by #6 Rose Run Yolanda, who finished 1st in race 2 on 5/6/23 at Miami Valley Raceway, and was trained by Mr. Luther. Mr. Luther requested a split sample that came back at 17.8 nanograms per milliliter of plasma, and DNA that proved a match. A hearing was conducted at Scioto Downs on 8/22/23 and Mr. Luther was given a \$1000 fine and a 15 day full suspension (08/30/23-09/13/23), which will be reduced to a 7 day full suspension (08/30/23-09/05/23) if not appealed. #6 finished 1st, is disqualified and placed 7th, and the purse (\$27,500) is to be returned and redistributed. Both the fine and purse are due within 10 days of this ruling. During his suspension, Mr. Luther is denied access to all grounds sanctioned by the OSRC, and all horses owned and/or trained by Mr. Luther may only be transferred by the judges or the OSRC. Mr. Luther has 48 hours to appeal this decision to the OSRC. This is Mr. Luther's second medication violation in the last 365 days.

MEYER, JAKE ALBERT

WALLKILL, NY

YOB 2006

MR on 6/22/2023

FINED: \$250

IMPROPER CONDUCT OR LANGUAGE TO AN OFFICIAL

Groom Jake Meyer is hereby fined the sum of \$250 for failure to conduct himself in a forthright and professional manner including the use of improper and abusive language to a NYSGC Investigator on 6/22/23 at Monticello Raceway. Mr Meyer is hereby placed on probation for the remainder of 2023, and any further violations of this nature will result in greater penalty up to and including immediate suspension.

MR on 8/8/2023

FAILURE TO PAY FINE(S)

8/8/2023 Groom Jake Meyer is hereby suspended pending payment of overdue fine in the amount of \$250. 8/9/2023 Groom Jake Meyer, having made restitution in the amount of \$250 due for overdue fines, is restored to good standing.

MONGIELLO, BRANDON L

Fhld on 5/12/2023

MANALAPAN, NJ

FINED: \$500...**STAYED**

FULL - 15 DAYS, 8/25/2023 THRU

9/8/2023...**STAYED**

HORSE DISQUALIFIED, PURSE

REDISTRIBUTION...**STAYED**

YOB 1992

POSITIVE TEST- POST RACE

An administrative hearing was conducted on 7/11/23 to accept evidence and testimony relating to the positive post-race analysis of the horse "Here Comes Red," which competed in the 9th race on Friday, 5/12/23 at Freehold Raceway. As a result of the hearing, the Board of Judges has determined that: NJRC licensee, Brandon Mongiello was the programmed trainer of the horse "Here Comes Red" when it competed in the 9th race at Freehold Raceway on 5/12/23; The horse finished 1st in the 9th race and was selected to submit blood and urine samples for analysis; The blood sample collected identified the presence of the prohibited substance Orphenadrine which is in direct violation of N.J.A.C. 13:71-23.1; As a trainer licensed by the NJRC, Mr. Mongiello; is the absolute insurer of and responsible for the condition of a horse within his care and custody; Mr. Mongiello is found to be in violation of N.J.A.C 13:71-23.6(a)(b)(c)(d). As a result, Mr. Mongiello is hereby issued a full suspension for a period of 15 days, 8/25/23 through and including 9/8/23 and fined the sum of \$500.00 which must be received by the NJRC on or before 9/8/23. During the period of suspension, Mr. Mongiello is denied access to all grounds under NJRC jurisdiction. Pursuant to N.J.A.C. 13:71-23.7, the purse monies earned by "Here Comes Red" on 5/12/23 are ordered to be held pending the timely filing of an appeal. Should an appeal be filed, the purse monies earned by the horse "Here Comes Red" on May 12, 2023 shall be held pending a final decision by the NJRC. Should no appeal be filed in accordance with N.J.A.C. 13:71-3.4 the purse monies earned by "Here Comes Red" on 5/12/23 shall be redistributed in accordance with the official order of finish. In addition to the penalty issued herein, 2 Multiple Medication Violation (MMV) points by the Association of Racing Commissioners shall be assigned as a result of this violation. BY ORDER OF THE NEW JERSEY RACING COMMISSION BOARD OF JUDGES

Status as of 8/8/2023 - Stay - The New Jersey Racing Commission is in receipt of a notice of appeal and a request for a stay from trainer Brandon Mongiello in connection with the fifteen day suspension, \$500 fine, disqualification of the horse "Here Comes Red," loss of purse money and 2 MMV points issued by the Board of Judges at Freehold Raceway for the violation of N.J.A.C. 13:71-23.1, N.J.A.C. 13:71-23.6(a)(b)(c)(d) and N.J.A.C. 13:71-23.7, in connection with a positive post-race blood analysis for Orphenadrine for the horse "Here Comes Red" in the 9th race on May 12, 2023. The Executive Director, having considered the request for a stay, hereby grants a stay of the penalties pending a final determination by the Racing Commission. The matter will be transmitted to the Office of Administrative Law for a de novo hearing. Related ruling: 23FRE62, dated August 1, 2023

PACHECO, JESSIE L

ACAMPO, CA

YOB 1992

Aces on 8/17/2023

DRIVING - 3 DAYS, 8/24/2023 THRU 8/29/2023

UNSATISFACTORY DRIVE - CARELESSNESS

Mr. Jessie Pacheco was the driver of #7 Say So's Wind Up in the 2nd Race on 8/17/2023. Mr. Jessie Pacheco did lay off the gate, MN Rule 7884.0260 Subp 1 – F, Cross over behind the other starters before the start, MN Rule 7884.0260 Subp 1 – D, Drove up the inside of other horses in a careless, reckless, or unsatisfactory manner, MN Rule 7884.0260 Subp 2 – K. This is Mr. Jessies Pacheco's 1st Violation of these rules in Minnesota in 2023. Mr. Jessies Pacheco did meet with the Board of Judges on 8/20/2023 and reviewed the film. Mr. Jessie Pacheco is issued a 3 Day Driving Suspension and the dates are as follows, 8/24/2023 – 8/27/2023 – 8/29/2023. Mr. Jessie Pacheco did sign the Waiver of Hearing.

Aces on 8/20/2023

DRIVING - 9 DAYS, 8/22/2023 THRU 9/16/2023

UNSATISFACTORY DRIVE - CARELESSNESS

Mr. Jessie Pacheco was the driver of #1 Editorial in the 7th Race on 8/20/2023. Mr. Jessie Pacheco did drive in a careless, reckless, or unsatisfactory manner and failed to maintain complete control of his horse at all times by repeatedly driving his horse in the back of the driver of #2, Violating MN Rule 7884.0260 Subp 2 – K. Then while in the stretch Mr. Jessie Pacheco steered his horse in a manner that is deemed careless and reckless. Mr. Jessie Pacheco has been spoken to numerous times and has already received a 3 Day Driving Suspension for the same infraction. Due to aggravating circumstances and this being the 2nd Violation the penalty is a 9 Day Driving Suspension, dates are as follows, 8/22/2023 – 8/31/2023 – 9/3/2023 – 9/5/2023 – 9/7/2023 – 9/10/2023 – 9/12/2023 – 9/15/2023 – 9/16/2023. Mr. Jessie Pacheco did meet with the Board of Judges on 8/21/2023 and reviewed the film and did sign the Waiver of Hearing.

PARKER, WILLIAM L JR

MONTICELLO, NY

YOB 1953

MR on 4/11/2023

FINED: \$500

FULL - 3 DAYS, 5/14/2023 THRU 5/16/2023

LOW OR EXCESS LEVEL OF AUTHORIZED MEDICATION

William Parker Jr., as trainer of record for the horse "Gimme Some Lovin," winner of the 4th Race on April 11, 2023, at Monticello Raceway, is hereby fined the sum of \$1,000 and suspended for a period of 7 days. Post-race analysis of the sample submitted resulted in a

positive finding of Methocarbamol at a higher level than the allowable threshold of 1 ng/ml. "Gimme Some Lovin" finished 1st is hereby disqualified and placed 8th. All purse monies paid must be returned and redistributed. Having appeared before a representative of the NYSGC and waiving the right to a formal hearing and appeal, the suspension is hereby reduced to 3 days and the fine is reduced to \$500. The horse "Gimme Some Lovin" will be required to submit a negative sample for the above-mentioned substance before being allowed to participate in further racing in New York. During the term of suspension, Mr. Parker will be denied the privilege of and access to all grounds under the jurisdiction of the NYSGC. All horses owned or trained by Mr. Parker shall be denied the privilege of participating in any racing in New York during the term of suspension. (1st offense in this category in a 365 day period.)

PENA, LUIS
PHL on 5/11/2023

WINDGAP, PA
FINED: \$500
HORSE DISQUALIFIED, PURSE
REDISTRIBUTION

YOB 1968

POSITIVE TEST- POST RACE

Fined: \$500, Horse Disqualified, Loss of purse \$4,500 PA Code 7-203.22, 401.3(a)(b) Sample # 396178 collected from the horse OUTWIT OUTFUN after race #3 on 5/11/2023 was found to contain Aminocaproic Acid. This is in violation of the PA medication rules. After waiving the right to appeal Luis Pena is fined \$500 which has been paid. OUTWIT OUTFUN finished 1st and is disqualified. Purse money earned (\$4,500) must be returned within 10 days of this ruling to be redistributed. Subsequent violations may result in increased penalties.

PHL on 5/18/2023

FINED: \$500
HORSE DISQUALIFIED, PURSE
REDISTRIBUTION

POSITIVE TEST- POST RACE

Fined: \$500, Horse Disqualified, Loss of purse \$4,500 PA Code 7-203.22, 401.3(a)(b) Sample # 396479 collected from the horse OUTWIT OUTFUN after race #14 on 5/18/2023 at Harrah's Philadelphia Racetrack was found to contain Aminocaproic Acid. This is in violation of the PA medication rules. After waiving the right to appeal Luis Pena is fined \$500 which has been paid. OUTWIT OUTFUN finished 1st and is disqualified. Purse money earned (\$4,500) must be returned within 10 days of this ruling to be redistributed. Subsequent violations may result in increased penalties.

PcD on 5/27/2023

FINED: \$500

POSITIVE TEST- POST RACE

Fined: \$500, Horse Disqualified, Loss of purse \$8,250 PA Code 7-203.22, 401.3(a)(b) Sample # 404928 collected from the horse OUTWIT OUTFUN after race #9 on 5/27/2023 at Pocono Downs was found to contain Aminocaproic Acid. This is in violation of the PA medication rules. After waiving the right to appeal Luis Pena is fined \$500 which has been paid. OUTWIT OUTFUN finished 1st and is disqualified. Purse money earned (\$8,250) must be returned within 10 days of this ruling to be redistributed. Subsequent violations may result in increased penalties.

PcD on 5/28/2023

FINED: \$500
HORSE DISQUALIFIED

POSITIVE TEST- POST RACE

Fined: \$500, Horse Disqualified, PA Code 7-203.22, 401.3(a)(b) Sample # 404944C collected from the horse #7 SHARKY BEAR after race #8 on 5/28/2023 at Pocono Downs was found to contain Aminocaproic Acid. This is in violation of the PA medication rules. After waiving the right to appeal Luis Pena is fined \$500 which has been paid. SHARKY BEAR finished 8th and is disqualified. Subsequent violations may result in increased penalties.

PcD on 6/17/2023

FINED: \$500
HORSE DISQUALIFIED, PURSE
REDISTRIBUTION

POSITIVE TEST- POST RACE

Fined: \$500, Horse Disqualified, Loss of purse \$8,250 PA Code 7-203.22, 401.3(a)(b) Sample # 405134F collected from the horse #5 OUTWIT OTRUN after race #12 on 6/17/2023 at Pocono Downs was found to contain Aminocaproic Acid. This is in violation of the PA medication rules. After waiving the right to appeal Luis Pena is fined \$500 which has been paid. OUTWIT OTRUN finished 1st and is disqualified. There is a Loss of Purse money earned (\$8,250) which must be returned within 10 days of this ruling to be redistributed. Subsequent violations may result in increased penalties.

REGINA, ANTHONY W

CARMEL, NY

YOB 1960

MR on 7/12/2023

FINED: \$250

LOW OR EXCESS LEVEL OF AUTHORIZED MEDICATION

Anthony Regina as trainer of record for the horse "Just Maybe The One" that qualified on 7/12/23 at Monticello Raceway is hereby fined the sum of \$500. Post Qualifier analysis of the sample submitted resulted in a positive finding for Furosemide at level higher than the allowable threshold. Having appeared before a representative of the NYSGC and waived the right to a formal hearing and appeal the fine is hereby reduced to \$250- (1st offense in this category in a 365 day period)

ROLAND, NICK ROYCE

GRINNELL, IA

YOB 1982

Aces on 7/25/2023

FINED: \$450

DRIVING - 4 DAYS, 8/27/2023 THRU 9/3/2023

TAKE UP ABRUPTLY/SIT DOWN IN FRONT OF HORSES CAUSING CONFUSION AMONG TRAILING HORSES

On 7/25/23 during the 1st Race, Mr. Nick Roland was the driver of #3 Bankers Grace and is being charged with not maintaining a pace comparable to the class and causing confusion to the trailing horses, MN Rule 7884.0260 Subp 2 - I & MN Rule 7884.0260 Subp 2 - L. These actions were due to Mr. Nick Roland going the first quarter in 29.3, the second quarter in 33.0, then the third quarter in 30.0, and the final quarter of the race was 30.3. The horse Mr. Nick Roland was driving, #3 Bankers Grace finished fourth. The trainer of #3 Bankers Grace had 2 other horses in the 6-horse field, one of those finished 1st, while the other finished 3rd. Mr. Nick Roland was served a Notice of Hearing for 4:15pm in the

Judges office due to the concern that the hearing would take an unforeseen amount of time and not to delay the nights racing and the judge's duties, by the Security team at the stable gate and Mr. Nick Roland refused to sign any documents on 7/26/2023. Due to the fact this is Mr. Nick Roland's 4th Offense of this nature in 2023 in Minnesota the Board of Judges all agree that Mr. Nick Roland's actions are not in the best interest of racing and Suspend Mr. Nick Roland for a total of 6 driving days as follows, 7/30/2023 – 8/1/2023 – 8/3/2023 – 8/6/2023 – 8/8/2023 – 8/10/2023. Mr. Nick Roland has 120 Hours to appeal this decision in writing to the Executive Director of the MRC.

Status as of 8/23/2023 - Subsequent Ruling - That the Ruling #23-58 is AFFIRMED in part, and MODIFIED in part as follows: a. The 6-day driving suspension is affirmed, and Roland must serve the remainder of the suspension less any days served prior to the effective date of the stay granted by the Minnesota Racing Commission's Executive Director. b. Roland is also fined \$450 pursuant to Minnesota Rules part 7897.0155, subp. 5. c. Also pursuant to Minn. R. 7897.0155, subp. 5, Roland's appeal deposit in the amount of \$250.00 will not be returned due to the frivolous nature of his appeal. d. Nothing in this Order shall be interpreted to restrict the discipline the Minnesota Racing Commission may impose for violations, up to, and including, suspension of Roland's license and exclusion of Roland from all licensed racetracks under the jurisdiction of the commission. e. Roland's 2024 licensing will be subject to Minnesota Racing Commission approval. 2. That the Minnesota Racing Commission review Roland's racing violations to determine his future suitability to hold an MRC license. 3. That pursuant to Minn. Stat. § 16D.17 (2022), Roland was provided notice and opportunity for a hearing, and a hearing was held as required. When this order becomes final, the Minnesota Racing Commission may file and enforce the fine and penalty imposed in the same manner as a district court judgment against Roland without further notice or additional proceedings. This order may be filed with a district court administrator along with an affidavit of identification and amount owed, and the court administrator shall enter and docket the administrative order as a civil judgment. Minn. Stat. § 16D.17 (2022). Finally, Roland is notified that simple interest computed in accordance with Minn. Stat. § 16D.13 (2022) shall begin to accrue on the civil penalty on the 30th calendar day after the date of this order. The Full Case File has been submitted to the USTA.

SOWERS, MCGWIRE P
MR on 4/24/2023

MONTGOMERY, NY
FINED: \$1,000
FULL - 60 DAYS, 7/1/2023 THRU 8/29/2023

YOB 2000

POSITIVE TEST- PRE RACE

McGuire Sowers, as trainer of record for the horse "Shes A Sassy Beach," 3rd place finisher in the 1st Race on April 24, 2023, at Monticello Raceway, is hereby assessed a penalty of \$1,000.00 and suspended for a period of 60 days. Pre-race analysis of the sample submitted indicated that the TC02 level exceeded the allowable level permitted in the above-stated rules. Per trainer's request, the horse was subsequently placed in guarded quarantine for a period of 72 hours and periodically tested to determine the horse's natural TC02 level. Results from the periodic testing do not support the assertion that said

horse naturally has a high TC02 level. "She's A Sassy Beach" finished 3rd is hereby disqualified and placed last. All purse monies paid must be returned and redistributed. The horse, "She's A Sassy Beach", must submit to 6 hour pre-race detention for a period of 6 months, 04/25/2023 through 10/25/2023, without regard to whether the horse is transferred to a new owner or trainer. The horse must also test in compliance with the above-stated rules each time raced during the required pre-race detention period. During the term of suspension, Mr. Sowers will be denied the privilege of and access to all grounds under the supervision of the NYSGC. All horses owned or trained by Mr. Sowers shall be denied the privilege of participating in racing during the term of suspension without transfer to other licensee(s) approved by the Judges. (1st offense in this category)

STOHLER, TRENT P
Lex on 7/30/2023

MARKLEVILLE, IN
FINED: \$500
HORSE PLACED 10

YOB 1969

FAILURE TO PROVIDE ADEQUATE OR PROPER DECLARATION INFORMATION

810 KAR 3:020 Sec.15 (j)(q)(r)(hh), 810 KAR 5:060 Sec.5 (2), 810 KAR 5:060 Sec.7, 810 KAR 5:060 Sec.8. On July 30, 2023 in the 10th race at Lexington, Kentucky's Red Mile Racetrack, the horse ER Rocky was listed in the program as Kentucky Preferred with Marvin Luna listed as trainer. Trent Stohler had asked Marvin Luna if he would train ER ROCKY for a few days and enter him and, made inquiry as to whether Luna was a Kentucky eligible trainer. Stohler was in fact trainer of ER Rocky on July 30, 2023 as the horse arrived at the Red Mile a few hours prior to post time. Trent Stohler is hereby assessed a civil penalty of \$500.00 and the first place money won or \$3200.00 is hereby ordered forfeited to be redistributed in the following manner: ER Rocky Finished 1st placed last-- Reggie Raider Finished 2nd placed 1st-- J Chip finished 3rd placed 2nd-- Acoustic finished 4th placed 3rd-- Ideal Ace finished 5th placed 4th-- BR Ezliksndymornin finished 6th placed 5th.

TRADER, SHANNON M
Har on 5/15/2023

GREENWOOD, DE
FULL - 23 DAYS, 7/4/2023 THRU 7/26/2023

YOB 1974

POSITIVE TEST - ILLEGAL SUBSTANCE TEST

DHRC Licensee Shannon Trader, having had a Judges hearing on 7/3/2023 and being credited for 7 days of a summary suspension, is now under a 23 day FULL suspension (7/4/2023 through and including 7/26/2023) for failing a human drug test. Ms. Trader tested positive for amphetamines (See DHRC rule: 5.1.8.5.2). Following her completed suspension, Ms. Trader, in accordance with DHRC rules: 5.1.8.5.5 and 5.1.8.5.6, will be subject to enhanced testing at her expense. Ms. Trader is responsible for the cost of the failed test (\$32.00).

TWADDLE, TIMOTHY P
Mea on 3/1/2023

CANONSBURG, PA
FINED: \$1,500
HORSE DISQUALIFIED - PLACED 10, PURSE
REDISTRIBUTION

YOB 1962

POSITIVE TEST- POST RACE

PA Code Title 7-203.22(a) 203.22(b) 401.2(a)(1) 401.2(a)(3)(i) 401.3(a) 401.3(b) 401.45 403.16(b) 403.16(c) 401.41(e)(6) Mr. Twaddle was the trainer of the horse MORETHANMYHOMETOWN for the 13th race on March 1, 2023 at The Meadows. Blood samples drawn (post-race) from MORETHANMYHOMETOWN were tested and found to contain fentanyl. A split sample was tested by THE UIC Analytical Forensic Testing Laboratory, and the presence of fentanyl was confirmed. As the trainer Mr. Twaddle is responsible for the positive test. However, evidence has been presented to show that there is a reasonable chance that this positive was a result of environment contamination. This does not excuse Mr. Twaddle from responsibility for the positive test, as he is responsible for protecting the horse from such exposure, but it was considered a mitigating factor in determining the penalty. MORETHANMYHOMETOWN finished 1st in the 13th race on March 1, 2023, but is disqualified. Purse money earned (\$3,500) must be returned within ten days of this ruling. Mr. Twaddle is fined \$1,500 (fines are due within ten days of ruling). Appeals are due within ten days of ruling and must be submitted in writing (accompanied by a \$750 bond) to: The PA State Horse Racing Commission, 2301, N. Cameron St., Room 304, Harrisburg, PA 17110 ATTN: Anthony Salerno

WEAVER, ROSY E
Mea on 8/22/2023

BEACH CITY, OH
FINED: \$500

YOB 1986

INDEFINITE SUSPENSION(IND) AS OF 9/2/2023

FAILURE TO COMPLY WITH WORKMEN'S COMPENSATION RULES

PA Code Title 7- 185.15(a) Ms. Weaver has failed to provide proof of current workers' compensation Insurance to the Pennsylvania State Horse Racing Commission. On June 2, 2023, Ms. Weaver signed an affidavit acknowledging her responsibility to provide proof of this insurance within ten days. As of August 22, 2023, such proof has still not been provided. Ms. Weaver is fined \$500 (fines are due within ten days of ruling) and issued and indefinite full suspension starting September 2, 2023. Appeals are due within ten days of ruling and must be submitted in writing (accompanied by a \$750 bond) to: The PA State Horse Racing Commission, 2301, N. Cameron St., Room 304, Harrisburg, PA 17110 ATTN: Anthony Salerno

PART THREE - WHIPPING VIOLATIONS

DESLANDES, DAN S
Skow on 8/14/2023

CLIFTON, ME
FINED: \$250

YOB 1992

EXCESSIVE OR INDISCRIMINATE USE OF WHIP
Excessive use of the whip

DZIENGIEL, DAVID A
MR on 8/15/2023

BLOOMINGBURG, NY
FINED: \$100

YOB 1959

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

MILLER, TYLER J **MILLSTONE TWP, NJ** **YOB 1998**
TgDn on 8/20/2023 FINED: \$100
EXCESSIVE OR INDISCRIMINATE USE OF WHIP

OLSEN, COLE N **POCOMOKE, MD** **YOB 2002**
OD on 8/14/2023 FINED: \$100
WHIPPING OUT OF CONTENTION

Driver Cole Olsen is fined \$100.00 for whipping out of contention while driving HOWBOUTDEMAPPLES in the 3rd race on August 14th, 2023 at Ocean Downs. 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)

ROSSI, TROY J **MONTICELLO, NY** **YOB 1962**
MR on 8/17/2023 FINED: \$100
EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Rule 4117.8 (c) Troy Rossi while driving #8 "Dance Life Well" in the 6th race on 8/17/2023 at Monticello Raceway failed to keep a line in each hand and whipped one handed before the 3/4-mile marker. (1st violation in a 365-day period.) (Any further violation of this nature will result in greater penalty.)

MR on 8/21/2023 FINED: \$250
DRIVING - 1 DAY, 8/29/2023 THRU 8/29/2023
EXCESSIVE OR INDISCRIMINATE USE OF WHIP

SILVESTRI, RALPH R III **PEMBERTON, NJ** **YOB 1989**
MR on 5/4/2023 FINED: \$250
DRIVING - 1 DAY, 5/10/2023 THRU 5/10/2023

EXCESSIVE OR INDISCRIMINATE USE OF WHIP
Driver Ralph Silvestri III is hereby assessed a penalty of \$250 and suspended for 1 day (Driving Privileges only) for excessive use of the whip while driving #1, "Life In Color," in the 6th Race of 5/4/23 at Monticello Raceway (2nd offense in this category in a 365-day period)

MR on 7/27/2023 FINED: \$500
EXCESSIVE OR INDISCRIMINATE USE OF WHIP
Driver Ralph Silvestri III is hereby assessed a penalty of \$500 and suspended 3 days (driving privileges only) for excessive use of the whip in the stretch while driving #1 "Little Admiral" in the 5th Race on 7/27/23 at Monticello Raceway. (3rd offense in this category in a 365 day period)

SMITHPETERS, SEAN G **MT VERNON, OH** **YOB 1982**
Aces on 8/20/2023 FINED: \$200
USING THE WHIP IN UNCONVENTIONAL MANNER

Mr. Sean Smithpeters was the driver of #8 Always Close in the 5th Race on 8/20/2023. Mr. Sean Smithpeters did use Other Than Wrist Action, Violation of MN Rule 7884.0260 Subp 2 – T – 5. This is Mr. Sean Smithpeters 2nd Violation of this rule in Minnesota in 2023. Mr.

LATE DRIVER CHANGE

CALDERONE, MICHAEL A PHL on 8/9/2023 FAILURE TO HONOR DECLARATION PHL on 8/10/2023 FAILURE TO HONOR DECLARATION	POMPANO BEACH, FL FINED: \$500 MIDDLETOWN, DE FINED: \$50 HORSE PLACED 3 BREWSTER, NY DRIVING - 3 DAYS, 7/6/2023 THRU 7/8/2023 INTERFERENCE/ CAUSING ANOTHER HORSE TO MAKE A BREAK	YOB 1960 YOB 1978 YOB 1953
CALLAHAN, COREY Har on 8/22/2023 INSIDE THE EURO RAIL / PYLON VIOLATION	ASHVILLE, OH FINED: \$200 HORSE PLACED 7 INSIDE THE EURO RAIL / PYLON VIOLATION	YOB 1979
CIAVARDINI, ROBERT P MR on 6/28/2023 INTERFERENCE/ CAUSING ANOTHER HORSE TO MAKE A BREAK	MIDDLEBURY, IN FINED: \$50 FAILURE TO PARTICIPATE IN THE POST PARADE	YOB 1955
CISCO, SCOTT R ScD on 8/23/2023 INSIDE THE EURO RAIL / PYLON VIOLATION	VERNON, NY FINED: \$250 LATE TO THE LASIX/ DETENTION BARN FAILURE TO HONOR DECLARATION	YOB 1994
CROSS, JAY D HoP on 8/18/2023 FAILURE TO PARTICIPATE IN THE POST PARADE	CLIFTON, ME DRIVING - 5 DAYS, 8/27/2023 THRU 9/1/2023 IMPEDING THE PROGRESS OF ANOTHER HORSE	YOB 1992
CRUSE, BRANDON VD on 8/19/2023 LATE TO THE LASIX/ DETENTION BARN FAILURE TO HONOR DECLARATION	HONESDALE, PA DRIVING - 5 DAYS, 4/20/2023 THRU 4/24/2023 CHANGING COURSE/CAUSING INTERFERENCE	YOB 1966
DESLANDES, DAN S Bang on 5/31/2023 IMPEDING THE PROGRESS OF ANOTHER HORSE	SALISBURY, MD FINED: \$100 FAILURE TO KEEP BOTH FEET IN THE STIRRUPS	YOB 2000
DIBENEDETTO, KYLE MR on 4/11/2023 CHANGING COURSE/CAUSING INTERFERENCE	PITTSTON, PA	YOB 1982

PcD on 8/14/2023 RACING A HORSE WHICH IS IMPROPERLY EQUIPPED	FINED: \$100	
ERICKSON, BRETT Humb on 8/5/2023 CHANGING COURSE/CAUSING INTERFERENCE	HUMBOLDT, IA FINED: \$100 HORSE PLACED 4	YOB 1993
GINGRAS, YANNICK YR on 8/10/2023 COMING TO THE GATE OUT OF POSITION	ALLENTOWN, NJ FINED: \$100	YOB 1979
GRAFFAM, NICHOLAS M PRc on 8/15/2023 SLOW QUARTER/HALF	FALMOUTH, ME WARNING ISSUED	YOB 1990
HARRISON, GEORGE R MR on 7/31/2023 LATE DRIVER CHANGE	NEW HARTFORD, NY FINED: \$100	YOB 1960
HARVEY, DANIEL TgDn on 7/30/2023 CHANGING COURSE/CAUSING INTERFERENCE	POMPANO BEACH, FL DRIVING - 3 DAYS, 8/27/2023 THRU 8/29/2023 HORSE PLACED 6	YOB 1960
HOLLIDAY, KENNETH R ScD on 8/17/2023 IMPEDING THE PROGRESS OF ANOTHER HORSE	MARYSVILLE, OH FINED: \$350 HORSE PLACED 8	YOB 1963
JOHNSTON, SHAWN P Mea on 8/17/2023 FAILURE TO SET AND MAINTAIN A PROPER PACE	EVANS CITY, PA FINED: \$200	YOB 1993
MELLOY, PATRICK M JR ScD on 8/23/2023 JOSTLE, STRIKE OR HOOK WHEELS	EATON, OH FINED: \$350 HORSE PLACED 10	YOB 1967
MERRIMAN, AARON E ScD on 8/19/2023 FAILURE TO DRIVE WHEN PROGRAMMED	NORTHFIELD, OH FINED: \$100	YOB 1978
MILLER, BRETT A ScD on 8/23/2023	BLACKLICK, OH FINED: \$200	YOB 1973

JOSTLE, STRIKE OR HOOK WHEELS

MILLER, DAVID S MR on 8/14/2023 FAILURE TO DRIVE WHEN PROGRAMMED PcD on 8/19/2023 FAILURE TO KEEP BOTH FEET IN THE STIRRUPS	ROBBINSVILLE, NJ FINED: \$100 FINED: \$200	YOB 1964
MILLER, TYLER J TgDn on 8/6/2023 CHANGING COURSE/CAUSING INTERFERENCE	MILLSTONE TWP, NJ DRIVING - 3 DAYS, 8/27/2023 THRU 8/29/2023 HORSE PLACED 7	YOB 1998
PAQUET, FERNAND A JR MR on 5/31/2023 FAILURE TO DRIVE WHEN PROGRAMMED	MIDDLETOWN, NY FINED: \$200	YOB 1968
PUTNAM, JOSEPH D HoP on 8/15/2023 FAILURE TO DRIVE WHEN PROGRAMMED	MIDDLETOWN, IN FINED: \$50	YOB 1998
RYDER, CHRISTOPHER J PHL on 8/9/2023 LATE DRIVER CHANGE	ALLENTOWN, NJ FINED: \$200	YOB 1955
SCIARRINO, SALVATORE OD on 8/13/2023 LATE TO THE LASIX/ DETENTION BARN	BEAR, DE FINED: \$100	YOB 1963
SCRAN, MEGAN M PcD on 8/13/2023 FAILURE TO PARTICIPATE IN THE POST PARADE	CAMPBELL HALL, NY FINED: \$100	YOB 1992
SMITH, JEREMY R ScD on 8/22/2023 PASSING LANE VIOLATION	WASHINGTON CH, OH FINED: \$200 HORSE PLACED 6	YOB 1980
SMITHPETERS, SEAN G Aces on 8/17/2023 IMPEDING THE PROGRESS OF ANOTHER HORSE	MT VERNON, OH FINED: \$300	YOB 1982
SONSTEBY, PHILIP SCOTT Mea on 8/19/2023 IMPEDING THE PROGRESS OF ANOTHER HORSE	PARIS, KY FINED: \$200	YOB 1997

SUGG, KURT D ScD on 8/17/2023	POLK, OH FINED: \$200 HORSE PLACED 6	YOB 1969
IMPEDING THE PROGRESS OF ANOTHER HORSE		
SWITZER, KEVIN P JR PRc on 8/17/2023	E WATERBORO, ME FINED: \$100	YOB 1987
INSIDE THE EURO RAIL / PYLON VIOLATION		
TAYLOR, ROBERT S HoP on 8/16/2023	MIDDLETOWN, IN FINED: \$150	YOB 1982
FAILURE TO DRIVE WHEN PROGRAMMED		
WAGNER, JOHN W OD on 8/16/2023	CENTERVILLE, MD FINED: \$100	YOB 1956
FAILURE TO COME UP/STAY IN POSITION		
WARNICK, SCOTT A Har on 8/22/2023	SALUDA, VA FINED: \$200	YOB 1966
LATE TO THE LASIX/ DETENTION BARN		
WECKSTEIN, KENNETH B OD on 8/21/2023	OXON HILL, MD FINED: \$100	YOB 1952
FAILURE TO COME UP/STAY IN POSITION		
WILDER, W MIKE Mea on 8/12/2023	WASHINGTON, PA FINED: \$200 HORSE PLACED 4	YOB 1972
CHANGING COURSE/CAUSING INTERFERENCE		
WRENN, MELANIE ScD on 8/19/2023	CARMEL, IN FINED: \$100	YOB 1965
LATE DRIVER CHANGE		
YORK, MITCHELL L PcD on 8/19/2023	CRANBERRY, PA FINED: \$200	YOB 1971
INACCURATE PROGRAM INFORMATION		