

FINES AND SUSPENSIONS BULLETIN

Fri, Dec 15 - Thu, Dec 21

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.

BREWER, RHONDA
MVR on 3/19/2023

SPRINGBORO, OH **YOB 1987**
FINED: \$1,000
FULL - 365 DAYS, 12/16/2023 THRU 12/14/2024
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. Blood sample #911189 was tested by the Ohio Department of Agriculture ATL and was found to contain D-Methamphetamine, a Class 1 drug. Blood sample #911189 was provided by #5 Ilovelywoody, who finished 1st in race 1 on 3/19/23 at Miami Valley Raceway, and was trained by Ms. Brewer. Both DNA and split sample testing were confirmed. #5 is disqualified and placed 8th, and the purse (\$2500) is ordered returned to Miami Valley Raceway within 10 days and redistributed. Ms. Brewer is given a \$1000 fine, which is due within 10 days of this ruling, and a full 365 day (6/30/2023-6/28/2024) suspension, which will be reduced to a full 180 day (6/30/2023-12/26/2023) suspension if not appealed. First offense and aggravating circumstances were considered. All horses owned and/or trained by Ms. Brewer may only be transferred by permission of the judges or the OSRC. During her suspension, Ms. Brewer is denied the use and privileges of all the grounds sanctioned by the OSRC. Ms. Brewer has 48 hours to appeal this decision to the OSRC.

Status as of 12/15/2023 - Subsequent Ruling - Ms. Brewer has chosen to withdraw her appeal of Ruling 23-SCD-066. Her 365 day suspension will begin on 12/16/2023 thru and including 12/14/2024. During her suspension, she is denied the use and privileges of all the grounds sanctioned by the OSRC. All horses owned and/or trained by Ms. Brewer may only be transferred by the judges in Ohio or the OSRC. The fine of \$1000 must be paid to the OSRC by December 26, 2023. The purse winnings of \$2500 must also be returned and made available for redistribution to Miami Valley Raceway by December 26, 2023.

MVR on 3/30/2023

FINED: \$1,000
FULL - 365 DAYS, 12/15/2024 THRU 12/14/2025
HORSE DISQUALIFIED - PLACED 10, PURSE
REDISTRIBUTION

POSITIVE TEST- POST RACE

OSRC 3769-18-01-B(1,10,13,15,16), 3769-18-02, 3769-17-43. Blood sample #911328 was tested by the Ohio Department of Agriculture ATL and was found to contain D-Methamphetamine, a Class 1 drug. Blood sample #911328 was provided by #2 Let's Rhyed, who finished 1st in race 7 on 3/30/23 at Miami Valley Raceway, and was trained by Ms. Brewer. Both DNA and split sample testing were confirmed. #2 is disqualified and placed 10th, and the purse (\$5000) is ordered returned to Miami Valley Raceway within 10 days and redistributed. Ms. Brewer is given a \$1000 fine which is due within 10 days of this ruling, and a full 365 day (6/29/2024-6/28/2025) suspension, which will be reduced to a full 180 day suspension, if not appealed. Dates to be determined pending the appeal of a previous medication suspension. Second offense and aggravating circumstances were considered. All horses owned and/or trained by Ms. Brewer may only be transferred by permission of the judges or the OSRC. During her suspension, Ms. Brewer is denied the use and privileges of all grounds sanctioned by the OSRC. Ms. Brewer has 48 hours to appeal this decision to the OSRC.

Status as of 12/16/2023 - Subsequent Ruling - Ms. Brewer has chosen to withdraw her appeal of Ruling 23-SCD-067. Her 365 day full suspension will be from 12/15/2024 thru and including 12/14/2025. During her suspension, she is denied the use and privileges of all the grounds sanctioned by the OSRC. All horses owned and/or trained by Ms. Brewer may only be transferred by the judges in Ohio or the OSRC. The \$1000 fine must be paid to the OSRC by December 26, 2023. The purse winnings of \$5000 must also be returned and made available for redistribution to Miami Valley Raceway by December 26, 2023.

COCCIOLONE, CARL R
Nfld on 11/13/2023

MONESSEN, PA **YOB 1956**
RESTORED TO GOOD STANDING(RES) AS OF
12/13/2023

UNPAID OBLIGATION

Mr. Cocciolone is hereby suspended until he pays the fine (\$100) per ruling 2023-NFLD-282 at Northfield Park. O.S.R.C.-3769-17-36

Status as of 12/13/2023 - Subsequent Ruling - Mr. Cocciolone has paid the fine per ruling 2023-NFLD-282 at Northfield Park and is restored to good standing in Ohio. O.S.R.C.-3769-17-36

DEL CID, FRANCISCO
Nfld on 11/22/2023

BORDENTOWN, NJ **YOB 1960**
INDEFINITE SUSPENSION(IND) AS OF
12/13/2023

UNPAID OBLIGATION

Mr. Del Cid is hereby suspended until he pays the fine (\$300) per ruling 2023-NFLD-290 at Northfield Park. O.S.R.C.-3769-17-36

EISENHOWER, JOSEPH M SR.
Fhld on 10/5/2023

SEWELL, NJ **YOB 1951**
FINED: \$500
FULL - 15 DAYS, 1/5/2024 THRU 1/19/2024

HORSE DISQUALIFIED, PURSE
REDISTRIBUTION

POSITIVE TEST- POST RACE

As a result of the administrative hearing conducted on November 30, 2023 the Board of Judges has determined that: New Jersey Racing Commission (N.J.R.C.) licensee, Joseph Eisenhower Sr. was the programmed trainer of the horse THSWAYORTHEHIGHWY when it competed in the 1st race at Freehold Raceway on Thursday October 5,2023; The horse THISWAYORTHEHIGHWY finished 1st in the 1st race on October 5, 2023: Following its performance in the 1st race at Freehold Raceway on October 5, 2023, the horse THISWAYORTHEHIGHWY was selected to submit blood and urine samples for analysis; The blood sample collected from the horse THISWAYORTHEHIGHWY on October 5, 2023 identified the presence of the substance 5-Hydroxydantrolene above the allowable threshold; The presence of 5-Hydroxydantrolene in the horse THISWAYORTHEHIGHWY on October 5, 2023 above the allowable threshold is in direct violation of NJRC rule N.J.A.C. 13:71-23.1; Mr. Eisenhower waived his right to a split sample; As a trainer licensed by the NJRC, Mr. Eisenhower: 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. Eisenhower is in violation of N.J.A.C 13:71-23.6(a)(b)(c)(d) as such Mr. Eisenhower is suspended for a period of fifteen (15) days, Friday, January 5, 2024 through and including Friday, January 19, 2024. Mr. Eisenhower is also fined the sum of five hundred (\$500.00) dollars. Payment of the fine associated with this ruling must be received by the N.J.R.C. on or before January 19, 2024. Consistent with N.J.A.C. 13:71-23.7, the horse THISWAYORTHEHIGHWY is hereb

HALE, DANIEL H
DTN on 11/9/2023

UTICA, OH
WARNING ISSUED

YOB 1965

POSITIVE TEST- POST RACE

OSRC 3769-18-01-B(18a), 3769-18-02. Blood sample #915480 was tested by the Ohio Department of Agriculture ATL and was found to contain Salicylic Acid, a Class 4 drug, at a concentration level of 8.3 micrograms per milliliter of plasma, which exceeds the Regulatory threshold of 6.5 micrograms per milliliter of plasma adopted by the OSRC. Sample #915480 was collected from #5 Aerogem, who finished 1st in race 8 on 11/09/23 at Dayton Raceway, and was trained by Mr. Hale. A first offense of a NSAID within 365 days in Ohio is a written ruling, thus Mr. Hale is given a warning. Mr. Hale waived his right to a split sample, hearing and an appeal.

HAWK, ALEXANDER D
Nfld on 11/22/2023

CIRCLEVILLE, OH
RESTORED TO GOOD STANDING(RES) AS OF
12/19/2023

YOB 1992

UNPAID OBLIGATION

Mr. Hawk is hereby suspended until he pays the fine (\$300) per ruling 2023-NFLD-288 at Northfield Park. O.S.R.C.-3769-17-36

Status as of 12/19/2023 - Subsequent Ruling - Mr. Hawk has paid the fine per ruling 2023-NFLD-288 and is restored to good standing in Ohio. O.S.R.C.-17-36

JOHNSON, WHITNEY R

NORTHFIELD, OH

YOB 1999

Nfld on 11/8/2023

WARNING ISSUED

POSITIVE TEST- POST RACE

Blood sample #913706 collected at Northfield Park on 11/8/23 from the horse Dudley was found to contain Salicylic Acid at a concentration of 8.3+-0.2 micrograms per milliliter of plasma. This exceeds the Regulatory Threshold of 6.5 micrograms per milliliter adopted by the OSRC. Ms. Johnson waived her right to a hearing and is hereby issued a warning. O.S.R.C.-3769-18-01(B)(4)(e) 18-02

PEDEN, PHILIP R

ADDISON, MI

YOB 1952

Hart on 8/22/2023

FINED: \$500

OFFENSIVE/PROFANE LANGUAGE

Philip Peden is fined \$500 for violation of Rule 20.01 Improper Language by Participants. Prior to the races at the Oceana County Fair in Hart, Mi on 8/22/23, Mr. Peden used improper language when speaking to the track maintenance man, Todd Hacker and fair board president/county commissioner Paul Erickson regarding the track condition. Mr. Peden then made a call to the county road commission, which does not provide services to the fair, to get them to come and work the track. The truck that was sent was incorrect for the job, making the track worse (hole and dip in the first turn) causing several horses to break stride. This behavior is detrimental to the sport; the language used was insulting, vulgar and uncalled for.

Status as of 12/19/2023 - Subsequent Ruling - It is the decision of the District 2 Directors to disallow your appeal and uphold the action of Robin Bellow to fine you \$500 for the incident that took place prior to the races at the Oceana County Fair on August 22, 2023. The fine has been paid.

PEDEN, ROBERT ROSS

PURYEAR, TN

YOB 1990

Hart on 8/22/2023

FINED: \$500

OFFENSIVE/PROFANE LANGUAGE

Robert Ross Peden is fined \$500 for violation of Rule 20.01 Improper Language by Participants. Prior to the races at the Oceana County Fair in Hart, Mi on 8/22/23, Mr. Peden used improper language when speaking to the track maintenance man, Todd Hacker and fair board president/county commissioner Paul Erickson regarding the track condition. Mr. Peden then made a call to the county road commission, which does not provide services to the fair, to get them to come and work the track. The truck that was sent was incorrect for the job, making the track worse (hole and dip in the first turn) causing several horses to break stride. This behavior is detrimental to the sport; the language used was insulting, vulgar and uncalled for.

Status as of 12/19/2023 - Subsequent Ruling - It is the decision of the District 2 Directors to disallow your appeal and uphold the action of Robin Bellor to fine you \$500 for the incident that took place prior to the races at the Oceana County Fair on August 22, 2023. The fine is due no later than January 15, 2024.

ROUSCULP, CRAIG S

MECHNICSBURG, OH

YOB 1970

DTN on 11/14/2023

FINED: \$500

POSITIVE TEST- POST RACE

OSRC 3769-18-01-B(18a), 3769-18-02. Blood sample #919273 was tested by the Ohio Department of Agriculture ATL and was found to contain Flunixin, a Class 4 drug, at a concentration level of 793 nanograms per milliliter of plasma, which exceeds the Regulatory threshold of 20 nanograms per milliliter of plasma adopted by the OSRC for Flunixin. Sample #919273 was collected from #9 Mangogh who finished 1st in race 8 on 11/14/23 at Dayton Raceway, and was trained by Mr. Rousculp. A first offense of a NSAID within 365 days in Ohio is usually a warning but due the extremely high amount of nanograms reported, Mr. Rousculp is fined \$1000, or \$500 if not appealed, which is due within 10 days of this ruling. Mr. Rousculp has waived his right to a split sample, hearing, and an appeal.

SEEKMAN, DESIRAE J

GASTON, IN

YOB 1990

Haw on 12/4/2023

FINED: \$100

FAILURE TO COMPLY WITH WORKMEN'S COMPENSATION RULES

IRB Rule 502.220 Workers` Compensation Trainer Desirae Seekman is hereby assessed a civil penalty of \$100.00 for failure to have current Workers` Compensation policy in effect on Monday, December, 4, 2023 when Millennial was in the Detention Barn at SDI/Hawthorne after the first race with an employee who was not insured.

PART THREE - WHIPPING VIOLATIONS

AVENATTI, WYATT A

CHRISMAN, IL

YOB 1996

Haw on 12/3/2023

FINED: \$400

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

IRB Rule 1318.90 c) Excessive use of Whip Driver Wyatt Avenatti is hereby assessed a civil penalty of \$400.00 for excessive use of the whip while driving the horse Prince OF Style, third place finisher in the 3rd race at SDI/Hawthorne on December 3, 2023. This violation constitutes the second whipping violation of the meet for driver Wyatt Avenatti.

CHINDANO, JOSEPH J JR.

BLOOMINGBURG, NY

YOB 1999

BR on 4/22/2023

FINED: \$1,000

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Mr. Joseph Chindano Jr, while driving #4 FOX VALLEY CHARLIZ, in the 7th race at Buffalo Raceway on April 22nd, was in violation of the whipping rule while approaching, thru and past the 3/4 mile pole. This is Mr Chindano`s 4th whipping violation within the past 365 days. Mr Chindano is hereby fined \$1000.00 (fine paid) and issued 20 day driving

suspension to be served December 21st, 2023 through and including January 9th, 2024.. Further violations of this nature will result in greater penalties. This is a DRIVING suspension only.

FRANCO, JUAN **CRETE, IL** **YOB 1977**

Haw on 12/3/2023

FINED: \$400

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

IRB Rule 1318.90 c) Excessive use of Whip Driver Juan Franco is hereby assessed a civil penalty of \$400.00 for excessive use of the whip while driving the horse Playtorock, first place finisher in the 6th race at SDI/Hawthorne on December 3, 2023. This violation constitutes the second whipping violation of the meet for driver Juan Franco.

KENNEDY, JAMES E **WILTON, CA** **YOB 1978**

CaIX on 12/10/2023

FINED: \$100

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

CAL EXPO Driver JAMES KENNEDY, who drove NO.5 ROCKIN THE DRAGON in the seventh race on Sunday, December 10, 2023 is hereby fined the sum of one hundred (\$100.00) dollars for violation of CHRB Whipping Rule #1734(b)(7) Use of the whip more than two times without giving a horse a chance to respond and Rule #1734(b)(8) Use of the whip more than six times during a race, excluding showing or waving the whip. If this fine is not paid to the paymaster of purses within seven calendar days from the date of this ruling you may be suspended and/or your license revoked by the CHRB.

LEONARD, CASEY LEE **HARVARD, IL** **YOB 1977**

Haw on 12/3/2023

FINED: \$200

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

IRB Rule 1318.90 c) 5) Causing visible injury with whip Driver Casey Leonard is hereby issued a civil penalty of \$200.00 for causing visible injury with thee whip (welts) while driving the horse Mazin Blazin, 1st place finisher in the 9th race SDI/Hawthorne on December 3, 2023. This violation constitutes the first whipping violation of the meet for driver Casey Leonard.

PACHECO, JESSIE L **ACAMPO, CA** **YOB 1992**

CaIX on 12/10/2023

FINED: \$100

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

CAL EXPO Driver JESSIE PACHECO, who drove NO.5 OUTLAWBURNTPOPCORN in the third race on Sunday, December 10, 2023 is hereby fined the sum of one hundred (\$100.00) dollars for violation of CHRB Whipping Rule #1734(b)(7) Use of the whip more than two times without giving a horse a chance to respond and Rule #1734(b)(8) Use of the whip more than six times during a race, excluding showing or waving the whip. If this fine is not paid to the paymaster of purses within seven calendar days from the date of this ruling you may be suspended and/or your license revoked by the CHRB.

RATH, GARY A **MARENGO, IL** **YOB 1961**

Haw on 12/3/2023 FINED: \$400
EXCESSIVE OR INDISCRIMINATE USE OF WHIP
IRB Rule 1318.90 a) e) Driver Gary Rath is hereby assessed a civil penalty of \$400.00 for raising the whip above the shoulder and behind him while driving the horse Ernie the Mooss, 2nd place finisher in the 1st race at SDI/Hawthorne on December 3, 2023 at SDI/Hawthorne. This violation constitutes the 2nd whipping violation of the meet for driver Gary Rath.

WAGNER, JOHN W **CENTERVILLE, MD** **YOB 1956**
RcR on 12/19/2023 FINED: \$100
EXCESSIVE OR INDISCRIMINATE USE OF WHIP
Driver John Wagner is fined \$100.00 for excessive use of the whip (one-handed whipping) in the stretch while driving FOOLISH TERROR in the 2nd race on December 19th, 2023 at Rosecroft Raceway. All fines are due within 10 days of the ruling or the Maryland Racing Commission licensee will be suspended until payment is received. COMAR: 09.10.03.03 A(14)

PART FOUR - MINOR PENALTIES

BATES, BRANDON L **MONROE, IN** **YOB 1975**
Haw on 12/17/2023 FINED: \$200
HORSE PLACED 5
CHANGING COURSE/CAUSING INTERFERENCE

BAYNES, RAY **FREEHOLD, NJ** **YOB 1956**
Fhld on 12/1/2023 DRIVING - 3 DAYS, 12/2/2023 THRU 12/8/2023
CHANGING COURSE/CAUSING INTERFERENCE

BENDER, ATLEE E **NOBLESVILLE, IN** **YOB 1992**
HoP on 12/9/2023 FINED: \$200
HORSE PLACED 9
PASSING LANE VIOLATION

BILACH, RICHARD A **FARMINGDALE, NJ** **YOB 1958**
Fhld on 12/8/2023 FINED: \$100
FAILURE TO KEEP BOTH FEET IN THE STIRRUPS

DODSON, JAMES CALVIN **HOUSTON, PA** **YOB 1990**
Mea on 12/15/2023 FINED: \$200
LATE DRIVER CHANGE

DUBE, DANIEL **MILLSTONE, NJ** **YOB 1969**
YR on 12/19/2023 FINED: \$100

INSIDE THE EURO RAIL / PYLON VIOLATION

EBERSOLE, LUKE C. Nfld on 12/10/2023 JOSTLE, STRIKE OR HOOK WHEELS	CHESTERVILLE, OH FINED: \$100	YOB 1990
ERZENE, KUBI MICHAEL Fhld on 12/9/2023 FAILURE TO WEAR/SECURE HELMET	PEMBERTON, NJ FINED: \$100	YOB 1992
FARMER, WYATT M DTN on 12/19/2023 PASSING LANE VIOLATION	TOLEDO, OH FINED: \$100 HORSE PLACED 9	YOB 2005
GLISPIE, K DEAN DTN on 12/20/2023 FAILURE TO HONOR DECLARATION	SEDALIA, OH FINED: \$300	YOB 1962
HANNERS, LUKE DTN on 12/20/2023 INSIDE THE EURO RAIL / PYLON VIOLATION	CHILLICOTHE, OH FINED: \$100	YOB 2000
HUSTED, KYLE A Haw on 12/4/2023 FAILURE TO DRIVE WHEN PROGRAMMED	ALTAMONT, IL FINED: \$100	YOB 1991
LEE, JOSEPH D M on 11/17/2023 DELAYING THE START	MAHOPAC, NY FINED: \$300 DRIVING - 2 DAYS, 12/9/2023 THRU 12/15/2023	YOB 1979
MERRIMAN, AARON E Nfld on 12/12/2023 JOSTLE, STRIKE OR HOOK WHEELS	NORTHFIELD, OH FINED: \$100	YOB 1978
MILBY, FRANKLIN D RcR on 12/19/2023 CHANGING COURSE/CAUSING INTERFERENCE	CORDOVA, MD DRIVING - 3 DAYS, 12/22/2023 THRU 12/24/2023	YOB 1978
MORGAN, VIRGIL V JR DTN on 12/20/2023 OTHER	GROVE CITY, OH FINED: \$100	YOB 1965
NAPOLITANO, ANTHONY J	NESCOPECK, PA	YOB 1981

PHL on 12/15/2023	FINED: \$200	
FAILURE TO SET AND MAINTAIN A PROPER PACE		
PAGE, CHRIS L	DELAWARE, OH	YOB 1983
DTN on 12/16/2023	FINED: \$200	
	HORSE PLACED 3	
IMPEDING THE PROGRESS OF ANOTHER HORSE		
PANTALEANO, JAMES R	CANONSBURG, PA	YOB 1962
YR on 12/11/2023	FINED: \$100	
KICKING A HORSE		
PAQUET, FERNAND A JR	MIDDLETOWN, NY	YOB 1968
MR on 12/7/2023	DRIVING - 3 DAYS, 12/16/2023 THRU 12/18/2023	
	HORSE PLACED 6	
IMPEDING THE PROGRESS OF ANOTHER HORSE		
ROSS, JORDAN M	COVINGTON, TN	YOB 1997
DTN on 12/20/2023	FINED: \$200	
	HORSE PLACED 8	
INSIDE THE EURO RAIL / PYLON VIOLATION		
SIEGELMAN, AUSTIN T	KINGSTON, PA	YOB 1992
Fhld on 12/2/2023	FINED: \$100	
FAILURE TO OBEY THE INSTRUCTIONS OF A RACING OFFICIAL		
SMITH, JEREMY R	WASHINGTON CH, OH	YOB 1980
DTN on 12/19/2023	FINED: \$200	
	HORSE PLACED 5	
IMPEDING THE PROGRESS OF ANOTHER HORSE		
SMITH, SAMUEL S	HAMBURG, NY	YOB 1988
Nfld on 12/12/2023	FINED: \$100	
OTHER		
SUTTON, JOSHUA	CLARKSVILLE, OH	YOB 1982
DTN on 12/20/2023	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		