

FINES AND SUSPENSIONS BULLETIN

Fri, Nov 29 - Thu, Dec 5

PART ONE

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

DAVIS, JEFFREY

USTA on 12/3/2024

USTA MEMBERSHIP ACTION

Membership suspended for failure to answer correspondence regarding delinquent USTA accounts.

GLENVIEW, IL

INDEFINITE SUSPENSION(IND) AS OF 12/3/2024

YOB 1966

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.

ALBER, ALAN M

PcD on 8/18/2024

THORNHILL, ON

FINED: \$50

**INDEFINITE SUSPENSION(IND) AS OF
11/27/2024**

YOB 1935

FAILURE TO OBTAIN PROPER LICENSE

Fined: \$50, Indefinite full suspension as of 11/27/2024. PA Title 7-203.11(e) Alan M Alber has failed to complete licensing requirements in PA for 2024. (Owner of TOTALLY TOXIC on 8/18/2024 at Pocono Downs). Alan M Alber is fined \$50 and as of 11/27/2024 is suspended indefinitely and will remain suspended until the fine is paid and licensing requirements have been met. Appeals must be requested within 10 days of this decision as set forth in PA Code 58-183.404(a). Mail your written request to: State Horse Racing Commission 2301 N. Cameron St. - Room 301, Harrisburg, PA 17110 Attn: Tony Salerno

BECKWITH, MARK D

Stga on 4/8/2024

WILTON, NY

FINED: \$500

**FULL - 7 DAYS, 12/9/2024 THRU 12/15/2024
HORSE DISQUALIFIED - PLACED 7, PURSE
REDISTRIBUTION**

YOB 1966

POSITIVE TEST- POST RACE

Mark Beckwith, was the trainer record for the horse "SOMEPARTYSOMEWHERE" in the 3rd race on 04/08/2024 at Saratoga Raceway. The post-race sample collected from #6 "SOMEPARTYSOMEWHERE" from the 3rd race at Saratoga Raceway on 04/08/2024 was found to contain "FLUNIXIN" at a concentration of 44.7 nanograms per milliliter of plasma +/- 0.3 nanograms per milliliter of plasma. Trainer Mark Beckwith requested a referee sample to be tested by The Kenneth L Maddy Equine Analytical Chemistry Laboratory, Davis California. The referee sample confirmed the finding of FLUNIXIN at a concentration of 64 ng/ml +/- 1.9 ng/ml. Having appeared before a representative of the New York State

Gaming Commission and waiving the right to a formal hearing and the right to appeal, is issued a Fifteen (15) day suspension (12/09/2024 through 12/23/2024) reduced to a Seven (7) day suspension) (12/09/2024 through 12/15/2024), and a One Thousand Dollar (\$1,000.00) fine (reduced to a Five Hundred Dollar (\$500.00) fine) without appeal. "SOMEPARTYSOMEWHERE" who finished 1st is disqualified and unplaced and the purse money earned of Three Thousand Seven Hundred Fifty Dollars (\$3,750.00) is ordered returned and redistributed. "SOMEPARTYSOMEWHERE" has submitted a sample for testing and has been removed from the Judge's list by obtaining a negative result and has re-qualified. During the term of the suspension, Mark Beckwith is deemed a disqualified person and denied access to all grounds under the jurisdiction of the New York State Gaming Commission. Any horses owned or trained by Mark Beckwith shall be denied the privilege of participating during the term of suspension. (1st offense in this category).

BURKE, MICHAEL D
YR on 1/25/2024

MCMURRAY, PA **YOB 1968**
FINED: \$500
FULL - 15 DAYS, 12/4/2024 THRU 12/18/2024
HORSE DISQUALIFIED - PLACED 6, PURSE
REDISTRIBUTION

POSITIVE TEST- POST RACE

On 1/25/2024 at Yonkers Raceway, Michael Burke, was the trainer of the #1 horse FULL SUPPORT in the 7th Race. Post race analysis of sample CV3514513 showed the presence of PEIMINE and PEIMININE. These samples were confirmed by split sample at the University of Pennsylvania. FULL SUPPORT, finished 1st, and is disqualified and placed 6th. All purse monies earned shall be returned and redistributed. The horse, FULL SUPPORT, must submit a negative test prior to entering to race (negative test submitted). Having appeared before a representative of the NYSGC and waiving his right to a formal hearing and right to appeal, Michael Burke's 30-day suspension and \$1000.00 fine is hereby reduced to a 15 days full suspension and \$500.00 fine. The suspension shall be served 12/4/2024 through and including 12/18/2024. During the term of suspension, Michael Burke is ruled off all grounds under the jurisdiction of the NYSGC and deemed a disqualified person. No trainer transfer of horses in his care will be permitted without the approval of the presiding judge.

ECKLEY, DEAN M
PHL on 9/22/2024

GREENVILLE, MI **YOB 1983**
FINED: \$1,500
FULL - 15 DAYS, 11/18/2025 THRU 12/2/2025
HORSE DISQUALIFIED - PLACED 7, PURSE
REDISTRIBUTION

POSITIVE TEST- POST RACE

PA Code Title 7: 203.22(a) 203.22(b) 401.2(a)(3)(ii) 401.3(a) 401.3(b) 401.41(e)(1) Mr. Eckley was the trainer of the horse NEED UR OPINION for Harrah's Philadelphia second race on September 22, 2024. Blood samples collected post-race from NEED UR OPINION were tested and found to contain Dexamethasone at a concentration of 138.2 +/- 12.8 pg/ml this is above the allowable limit. As the trainer, Mr. Eckley is responsible for the

positive test. NEED UR OPINION finished second in this race but is now disqualified and placed seventh. Purse money earned (\$1,700) by NEED UR OPINION must be returned within ten days of this ruling. Mr. Eckley is fined \$1,500 (fines are due within ten days of ruling) and issued a full 15 day suspension beginning November 18, 2025 up to and including December 2, 2025. Aggravating factors were considered in the determination of this penalty. Appeals are due within 10 days of this ruling 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 177110 ATTN: Anthony Salerno.

FERGUSON, BRAD K

ANDERSON, IN

YOB 1985

HoP on 11/25/2024

FULL - 30 DAYS, 11/25/2024 THRU 12/24/2024

POSITIVE TEST - ILLEGAL SUBSTANCE TEST

71 IAC 8-10-1(a), 8-10-6(a)(1) During a reasonable suspicion search conducted on the backside of Hoosier Park on the evening of Saturday, November 23, 2024 officers from the Anderson Police Department confiscated what appeared to be crack cocaine from licensee Brad Ferguson's vehicle. During a follow-up interview conducted with IHRC investigators on Monday, November 25, 2024, Mr. Ferguson admitted that he would not be able to pass a drug test. For violation of Indiana Horse Racing Commission rule 71 IAC 8-10-1 "Use or possession of controlled substances or prescription drugs", Mr. Ferguson shall be suspended thirty (30) days (first offense) beginning Monday, November 25, 2024 through Tuesday, December 24, 2024 as provided in 71 IAC 8-10-6 "Penalties". During the period of this suspension Mr. Ferguson shall not drive, train, enter, or race any horses under his care. Mr. Ferguson will have limited access to the Hoosier Park backside to care for and feed his horses. Any transfer of horses must first be approved by the judges at Hoosier Park. After the 30 day suspension has been served, Mr. Ferguson must provide a negative drug test for the suspension to be lifted.

FOGET, KASPER H

WRIGHTSTOWN, NJ

YOB 1993

PcD on 8/10/2024

**RESTORED TO GOOD STANDING(RES) AS OF
12/5/2024**

FAILURE TO OBTAIN PROPER LICENSE

Fined: \$50, Indefinite full suspension as of 11/27/2024. PA Title 7-203.11(e) Kasper Foget has failed to complete licensing requirements in PA for 2024. Mr. Foget is fined \$50 and as of 11/27/2024 is suspended indefinitely and will remain suspended until the fine is paid and licensing requirements have been met. Appeals must be requested within 10 days of this decision as set forth in PA Code 58-183.404(a). Mail your written request to: State Horse Racing Commission 2301 N. Cameron St. - Room 301, Harrisburg, PA 17110 Attn: Tony Salerno

Status as of 12/5/2024 - Subsequent Ruling - Restored to good standing as of 12/5/2024. PA Title 7-203.11(e) Kasper Foget has paid his fine (ruling #24167PD) and completed PA licensing requirements. As of 12/5/2024, Kasper Foget has been restored to good standing in PA.

JONES, WILLIAM L

LEXINGTON, KY

YOB 1951

PcD on 8/10/2024

FINED: \$50
INDEFINITE SUSPENSION(IND) AS OF
11/27/2024

FAILURE TO OBTAIN PROPER LICENSE

Fined: \$50, Indefinite full suspension as of 11/27/2024. PA Title 7-203.11(e) William L Jones has failed to complete licensing requirements in PA for 2024. (Owner of CHIEF BOGO ON 8/10/2024 at Pocono Downs). William L Jones is fined \$50 and as of 11/27/2024 is suspended indefinitely and will remain suspended until the fine is paid and licensing requirements have been met. Appeals must be requested within 10 days of this decision as set forth in PA Code 58-183.404(a). Mail your written request to: State Horse Racing Commission 2301 N. Cameron St. - Room 301, Harrisburg, PA 17110 Attn: Tony Salerno

MACOMBER, JAMIE

FISHERS, IN

YOB 1979

HoP on 11/7/2024

FINED: \$200

MEDICATION PROCEDURE VIOLATION

71 IAC 5-3-3(14); 8-5-5(c)(2), 8-5-5(c)(5) During routine barn searches conducted at Hoosier Park on 11/7/2024, IHRC investigators found a bottle of Salix sitting in plain view in trainer Jamie Macomber's barn area. This bottle did not contain proper labeling as required by Indiana Horse Racing Commission medication rules. Namely, the name of the prescribing veterinarian was not on the product nor was the trainer's name. For this violation Ms. Macomber is fined \$200.00 which is due within seven days of this ruling. Ms. Macomber waived her right to a hearing and accepted the penalty.

Status as of 12/3/2024 - Amendment - **The bottle found during the barn search contained tablets and was non-injectable, hence the reason for a lesser penalty.**

MORGAN, VIRGIL V JR

GROVE CITY, OH

YOB 1965

Cosh on 10/2/2024

FINED: \$250

HORSE DISQUALIFIED, PURSE
REDISTRIBUTION

POSITIVE TEST- POST RACE

Blood sample #918326 collected at The Coshocton County Fair on 10/2/24 from the horse Jet Wings was found to contain furosemide at a concentration of 134+-30 nanograms per milliliter of plasma. This exceeds the Regulatory Threshold of 100 nanograms per milliliter adopted by the OSRC. Mr. Morgan waived his right to a hearing and is hereby fined \$500 and Jet Wings is disqualified. As a result of that disqualification all purse money must be returned for redistribution (\$3230.00). The fine will be reduced to \$250 with no appeal. O.S.R.C.-3769-18-01(B)(b) 18-02 3769-17-43

RICCO, JASON J

LOCH SHELDRAKE, NY

YOB 1978

MR on 11/21/2024

FULL - 15 DAYS, 12/4/2024 THRU 12/18/2024

CONDUCT DETRIMENTAL TO THE BEST INTEREST OF HORSE RACING

Rule 4102.3(A)(2), 4119.1, 4119.2, 4119.8(C)(D), 4119.7(B) On November 21, 2024, Driver Jason Ricco appeared before the Presiding Judge at Monticello Raceway to review a

whipping violation. Subsequent to notice of the \$100.00 penalty for the violation, Jason Ricco engaged in intimidating, disrespectful and verbally abusive behavior to the Presiding Judge and a Gaming Commission Investigator. Further Jason Ricco violently caused damage to Monticello Raceway property. On November 27, 2024, Jason Ricco appeared before a representative of the New York State Gaming Commission. Jason Ricco's behavior is clearly inconsistent with the best interest of racing in New York State. Therefore, the full occupational license of Jason Ricco is hereby suspended for 30 calendar days. Having waived his right to a formal hearing and appeal, said suspension is reduced to 15 days with the condition of proof of enrollment and compliance in a state certified anger management program. Any further conduct violation on the part of Jason Ricco shall result in increased penalties.

SCICLUNA, CHRIS J

DD on 11/21/2024

HOUSTON, DE

FINED: \$1,000

YOB 1975

POSITIVE TEST- PRE RACE

Trainer Chris Scicluna, having waived his right to a Judge's hearing, and being the trainer of record for the gelding IMOUTTHEDOOR in the 6th race on 11/21/2024 at Bally's Dover, with aggravating circumstances, is fined \$1,000. It had been found that IMOUTTHEDOOR was over the blood gas limit (see DHRC rule: 8.3.3.3.3 and 8.3.3.3.4). IMOUTTHEDOOR was scratched. All fines are due within 10 days of receipt of ruling.

SIMPSON, DIRK

Mea on 12/13/2023

MEADOWLANDS, PA

FINED: \$1,000

YOB 1957

HORSE DISQUALIFIED - PLACED 9, PURSE REDISTRIBUTION

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) 401.41(e)(1) 401.41(e)(10) 401.41(e)(6) Mr. Simpson was the trainer of the horse SWEET PAINTED LADY for The Meadows' sixth race on December 13, 2023. Blood samples drawn (post-race) from SWEET PAINTED LADY were tested and found to contain Pemoline. As the trainer Mr. Simpson is responsible for the positive test. SWEET PAINTED LADY finished 1st in this race but is now disqualified. Purse money earned (\$5,450) by SWEET PAINTED LADY must be returned within ten days of this ruling. Mr. Simpson is fined \$1,000 (fines are due within ten days of ruling) and has waived his hearing/appeal rights. Mitigating and aggravating circumstances were considered in determining the penalty.

VAFIADES, KIMBERLY A

CUMB on 11/2/2024

SIDNEY, ME

FINED: \$500

YOB 1967

HORSE DISQUALIFIED, PURSE REDISTRIBUTION

POSITIVE TEST- POST RACE

Mrs. Vafiades was the trainer of record for her horse LOVE KITTEN who raced at First Tracks in race # 5 on 11/2/24 and finished 1st. The Industrial Laboratories of Denver,

Colorado has notified the Maine State Harness Racing Commission that an analysis of blood sample #E538420 taken from the horse, Love Kitten at First Tracks LLC. on November 2, 2024, disclosed an elevated level of Methocarbamol at 2.47 ng/mL. The elevated level of methocarbamol is evidence of a violation of Commission Rule Chapter 11; therefore, this finding constitutes a positive test for the horse, Love Kitten. Mrs. Vafiades has been fined the amount of \$ 500.00 for this in fraction and the purse of \$ 2,500.00 has been ordered returned for redistribution.

PART THREE - WHIPPING VIOLATIONS

BUCCERI, DENNIS A
Btva on 11/16/2024

OAKFIELD, NY **YOB 1952**
FINED: \$250
DRIVING - 3 DAYS, 11/30/2024 THRU 12/2/2024

INAPPROPRIATE USE OF THE WHIP

Dennis Bucceri, on Saturday, November 16, 2024, while driving the 1 horse, CAPTAIN ZAMPERINI, in the 1st race at Batavia Downs, was observing using more than hand and wrist action in the stretch. For this violation, Mr. Bucceri has been fined \$250.00, and suspended from November 30, 2024 until December 2, 2024. This is the second violation of this nature in a 365-day period. Further violations will result in escalated penalties.

DAVIS, TYLER EDWARD
DD on 12/2/2024

SMYRNA, DE **YOB 1992**
FINED: \$200

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Driver Tyler Davis, having waived his right to a Judge`s hearing, is fined \$200 for using an "exaggerated whipping motion" contrary to DHRC rule: 7.6.13.14.2.6 while driving SHERMONT in the 3rd race on 12/2/2024 at Bally`s Dover. All fines to be paid within 10 days of receipt of ruling.

HANNERS, LUKE
DTN on 11/27/2024

CHILLICOTHE, OH **YOB 2000**
FINED: \$300

INAPPROPRIATE USE OF THE WHIP

OSRC 3769-17-17-B. While driving #2 Outlaw Aceofspades during the stretch in race 4 on 11/27/24 at Dayton Raceway. This is Mr. Hanners first whipping offense in the last 365 days. Mr. Hanners is fined \$500, or \$300 if not appealed, which is due within 10 days of this ruling. Mr. Hanners has 48 hours to appeal this decision to the OSRC.

LUNA, MARVIN ALFREDO
HoP on 11/22/2024

LEXINGTON, KY **YOB 2001**
FINED: \$500
DRIVING - 3 DAYS, 11/28/2024 THRU 11/30/2024

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

71 IAC 7-3-13(d)(5) While driving No. 10 ER RAMBO in race 6 at Hoosier Park on November 22, 2024 driver Marvin Luna was found to be in violation of IHRC whipping rules. For this violation Mr. Luna is fined \$500.00 which is due within seven days of this ruling. 2.)

BATES, BRANDON L HoP on 11/21/2024	MONROE, IN FINED: \$200 HORSE PLACED 7	YOB 1975
CHANGING COURSE/CAUSING INTERFERENCE		
BEATTIE, JASON R DTN on 11/27/2024	OREGONIA, OH FINED: \$100	YOB 1972
FAILURE TO DRIVE WHEN PROGRAMMED		
DTN on 11/30/2024	FINED: \$200 HORSE PLACED 5	
JOSTLE, STRIKE OR HOOK WHEELS		
CHISHOLM, BRADLEY W DD on 11/21/2024	FREEHOLD, NJ FINED: \$100 HORSE PLACED 7	YOB 1997
INSIDE THE EURO RAIL / PYLON VIOLATION		
FOULK, TRISH M DTN on 11/29/2024	SPRINGFIELD, OH FINED: \$100	YOB 1977
INACCURATE PROGRAM INFORMATION		
HAYNES, WALTER E JR HoP on 11/22/2024	ALEXANDRIA, IN FINED: \$200	YOB 1965
LATE TO THE PADDOCK		
HERSHBERGER, JOSEPH A. DTN on 11/26/2024	SOUTHINGTON, OH FINED: \$300	YOB 1989
SELLING OR TRANSFERRING CLAIMED HORSE WITHIN THE SPECIFIED NUMBER OF DAYS		
KASH, KEITH J JR Nfld on 11/26/2024	MEDINA, OH FINED: \$100	YOB 1979
TALKING ON THE RACE TRACK		
KOZAK, PHILIP PHL on 11/24/2024	HARRINGTON, DE FINED: \$200	YOB 1957
INSIDE THE EURO RAIL / PYLON VIOLATION		
KREISER, CORY Nfld on 11/27/2024	NORTHFIELD, OH FINED: \$100	YOB 1993
INSIDE THE EURO RAIL / PYLON VIOLATION		
LEE, DALTON CUMB on 11/24/2024	WHITEFIELD, ME FINED: \$50	YOB 2000

FAILURE TO DRIVE WHEN PROGRAMMED

MANKE, ALFRED O III DTN on 11/29/2024	LIMA, OH FINED: \$200 HORSE PLACED 7	YOB 1974
PASSING LANE VIOLATION		
MAROHN, JAMES JR YR on 11/14/2024	PARK RIDGE, NJ HORSE PLACED 7	YOB 1982
CHANGING COURSE/CAUSING INTERFERENCE		
MCCARTHY, TODD P DD on 11/27/2024	BORDENTOWN, NJ FINED: \$100	YOB 1993
LAYING BACK IN SULKY		
MCCOWN, CAMERON L DTN on 11/29/2024	OSTRANDER, OH FINED: \$200 HORSE PLACED 6	YOB 1988
INSIDE THE EURO RAIL / PYLON VIOLATION		
MCNEIGHT, DAVID P III Btva on 11/9/2024	ELLICOTTVILLE, NY FULL - 3 DAYS, 11/18/2024 THRU 11/20/2024 HORSE PLACED 7	YOB 1990
SLOW QUARTER/HALF		
MERRIMAN, AARON E Nfld on 11/24/2024	NORTHFIELD, OH FINED: \$200 HORSE PLACED 5	YOB 1978
INSIDE THE EURO RAIL / PYLON VIOLATION		
Nfld on 11/27/2024	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		
MONTI, ANDREW Btva on 10/12/2024	DEPEW, NY DRIVING - 3 DAYS, 12/9/2024 THRU 12/11/2024	YOB 1994
CHANGING COURSE/CAUSING INTERFERENCE		
NOBLE, CHRISTI R DTN on 11/27/2024	XENIA, OH FINED: \$100	YOB 1986
LATE DRIVER CHANGE		
PAGE, CHRIS L DTN on 12/4/2024	DELAWARE, OH FINED: \$200	YOB 1983
IMPEDING THE PROGRESS OF ANOTHER HORSE		
PRESLEY, CHRIS S	THORNVILLE, OH	YOB 1995

DTN on 12/4/2024	FINED: \$200	
CROWDING/PUTTING ANOTHER WHEEL UNDER ANOTHER HORSE OR DRIVER		
RHOADES, BILL	GARRETTSVILLE, OH	YOB 1987
Nfld on 11/26/2024	FINED: \$300	
FAILURE TO HONOR DECLARATION		
ROSS, JORDAN M	COVINGTON, TN	YOB 1997
HoP on 11/21/2024	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		
SMITH, JEREMY R	WASHINGTON CH, OH	YOB 1980
DTN on 12/4/2024	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		
DTN on 12/4/2024	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		
SMITH, TREVOR GENE	LEBANON, OH	YOB 1996
DTN on 12/3/2024	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		
SWITZER, KEVIN P JR	E WATERBORO, ME	YOB 1987
CUMB on 11/30/2024	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		
WAGONBLOTT, JULIE	HAMBURG, NY	YOB 1969
Btva on 11/30/2024	FINED: \$100	
LATE DRIVER CHANGE		
WRIGHT, ANTHONY JOSEPH	FISHERS, IN	YOB 2004
HoP on 11/21/2024	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		