

# FINES AND SUSPENSIONS BULLETIN

Fri, Jan 23 - Thu, Jan 29

## PART ONE

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

**DEVITA, NICHOLAS F**  
USTA on 11/21/2025

**MIDDLETOWN, NY** **YOB 1985**  
RESTORED TO GOOD STANDING(RES) AS OF  
1/28/2026

### USTA MEMBERSHIP ACTION

The USTA is indefinitely suspending the USTA membership of Mr. Nicholas DeVita for violations of USTA Rule 26.16 (failure to submit information) and USTA Article § 1.04(a)(7) (failure to furnish information requested to supplement a membership application). Mr. DeVita failed to provide records and information requested by the Standardbred Racing Investigative Fund (SRIF) in collaboration with the USTA pursuant to an investigation into suspected violations of the USTA's Rules and Bylaws. As with the transfer of all ownership interests in a registered Standardbred horse, the USTA will scrutinize all attempted transfers of an interest in a Standardbred horse owned by Mr. DeVita to ensure that such transfer complies with the USTA's Rules and Bylaws and reserves the right to not recognize any such transfer. In addition, as Mr. DeVita is now indefinitely suspended, he is a "person not in good standing" under USTA Rule 4.130 and horses and USTA members associated with Mr. DeVita are subject to the applicable restrictions under USTA Rules Rule 20.15, 20.17, 22.05, 22.06, and 26.12. To ensure compliance with the USTA's Rules and Bylaws, the USTA advises its members to consult with officials at the USTA before participating in transactions or engaging in business activities involving registered Standardbreds with Mr. DeVita.

***Status as of 1/28/2026 - Subsequent Ruling - Nicholas DeVita has complied with a request for information from the Standardbred Racing Investigative Fund (SRIF). Consequently, Mr. DeVita is no longer in violation of USTA §26.16 (Failure to Submit Information). His suspension has been lifted, and his USTA membership has been restored to good standing.***

## 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.*

**BAKO, JARED W**  
YR on 7/18/2025

**WALLKILL, NY** **YOB 1993**  
FINED: \$500  
FULL - 15 DAYS, 1/26/2026 THRU 2/9/2026  
HORSE DISQUALIFIED - PLACED 8, PURSE  
REDISTRIBUTION

**POSITIVE TEST- POST RACE**

On July 18th, 2025, at Yonkers Raceway, Jared Bako, as trainer of the #1 horse, OKINAWA BEACH A, in the 5th race. Post race analysis of sample CV3582277 and seal number R2915178, showed the presence of Gabapentin at a concentration of 4.98. Furthermore, a split sample was confirmed by the Kenneth L Maddy Lab on 12/23/2025. OKINAWA BEACH A, finished 2nd, and is disqualified and placed 8th. All purse monies earned shall be returned and redistributed, and the horse 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. Jared Bako is hereby suspended 30-days and fined \$1000.00. Reduced to 15 days and \$500.00. The suspension shall be served January 26th, 2026, through and including February 9th, 2026. During the term of suspension, Jared Bako 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.

**BARRETT, MICHAEL ALLEN**

**CRITTENDEN, KY**

**YOB 1971**

**OAKGR** on 6/18/2025

**FULL - 191 DAYS, 6/24/2025 THRU 12/31/2025**

**DISTURBING THE PEACE**

The Board of Judges at Oak Grove received Incident File #IN20250010137 from Oak Grove Security and Notice Of Trespass against Mr. Michael Barrett. 810 KAR 3:020 Section 15 – H states a licensee may have their license revoked if the “The Licensee or applicant has been ejected, ruled off, or excluded from racing association grounds in the Commonwealth of Kentucky or racetrack in any jurisdiction”. Due to being trespassed by Oak Grove Association Mr. Michael Barrett’s KHRGC license is hereby under a Full Suspension pending his appearance before the Board Of Judges for the KHGRGC.

***Status as of 1/27/2026 - Subsequent Ruling - Mr. Barrett is hereby permitted to apply for a license in the Commonwealth of Kentucky.***

**BONGIORNO, JOSEPH R**

**MONROE, NJ**

**YOB 1993**

**M** on 1/8/2026

**FINED: \$2,000**

**DRIVING - 5 DAYS, 1/23/2026 THRU 1/31/2026**

**IMPROPER CONDUCT OR LANGUAGE TO AN OFFICIAL**

A hearing was held by the New Jersey Racing Commission ("NJRC") Board of Judges at The Meadowlands Racetrack on Thursday, January 8, 2025 to discuss the actions and conduct of driver Joseph Bongiorno immediately after being scratched from the tenth race at The Meadowlands Racetrack on December 5, 2025. A report submitted by the New Jersey Racing Commission ("NJRC") Investigative unit was also reviewed during the hearing. In reviewing the investigative report and hearing the testimony at the January 8, 2026 hearing, the Board of Judges determined that Driver Joe Bongiorno did violate several rules of the NJRC. Mr. Bongiorno did not immediately vacate the racetrack when ordered to do so when the State Veterinarian recommended the scratch and the Judges had disseminated the information of the scratch of the horse "Donato Patriot K" from the tenth race on December 5, 2025. Instead Mr. Bongiorno did turn the horse and continued to score the horse down at a high rate of speed after being informed that the horse was scratched. This is a violation of N.J.A.C. 13:71-7.29 (failure to obey the instructions of a

racetrack official). When Mr. Bongiorno vacated the racetrack, he stopped at the state veterinarian's post and used offensive and profane language to the state veterinarian before returning to the paddock. Once entering the paddock Mr. Bongiorno continued to disturb the peace while being obnoxious on the grounds of an association as he entered the paddock office and informed the Paddock Judge that he is not going to fulfill his driving assignments for the rest of the evening and he is leaving. This was a violation of N.J.A.C. 13:71-7.29 (failure to drive when programmed). These actions created consequences to many different parties including the wagering public who had already placed wagers on the remaining four races without the knowledge of Mr. Bongiorno's departure until after the tenth race as multi-race wagers had already been placed. This also created a hardship

**ECKLEY, DEAN M**

**PHILADELPHIA, PA**

**YOB 1983**

**OAKGR** on 4/17/2025

**CONDUCT DETRIMENTAL TO THE BEST INTEREST OF HORSE RACING**

810 KAR 3:020, Sec. 15 (1)(h), (i), (j), (q), and (bb). In 2022, Dean Eckley applied for a KHRGC License. This application was forwarded to the Corporation's Licensing Review Committee and was denied. The Committee gave Eckley the opportunity to withdraw the application and he declined. At a later date, Dean Eckley petitioned the Committee to be allowed to withdraw the denied application. This request was granted by the Committee and indicated by Judges ruling J2022-014 rescinding the denial. Thereafter, following an extensive investigation, it was determined that Dean Eckley did in fact race horses at KHRGC licensed racing venues in 2022 and 2023 using the names of his employees who were licensed trainers in Kentucky. Therefore, in accordance with the KHRGC's statutory charge to regulate and maintain horse racing at race meetings in the Commonwealth so as to dissipate any cloud of association with the undesirable and maintain the appearance as well as the fact of complete honesty and integrity of horse racing in the Commonwealth, Dean Eckley is hereby declared ineligible for licensing by the Kentucky Horse Racing and Gaming Corporation for engaging in conduct that is against the best interest of horse racing and compromising the integrity of horse racing in the Commonwealth of Kentucky,.

***Status as of 1/24/2026 - Subsequent Ruling - Ruling #OG2026-001 issued on 1/23/2026 states "Ruling OG2025-010 issued on 4/17/2025 is hereby rescinded by the Board of Judges of the KHRG".***

**RIZZO, MICHAEL C**

**HAUPPAUGE, NY**

**YOB 1969**

**MR** on 12/30/2025

FINED: \$500

TRAINING - 7 DAYS, 1/22/2026 THRU 1/28/2026

HORSE DISQUALIFIED - PLACED 7, PURSE

REDISTRIBUTION

**POSITIVE TEST- PRE RACE**

On January 15, 2026, the New York Drug Testing and Research Program reported to the New York State Gaming Commission that pre-race blood sample #CV369928, submitted by the horse CIGAR SMOKING JOE, 3rd place finisher in race 10 on December 30, 2025, at Monticello Raceway contained the presence of Altrenogest. Pursuant to New York State Gaming Rule 4120.2 (Restricted use of drugs, medications and substances) and 4120.4

(Trainer Responsibility), Mike Rizzo, as trainer of record of CIGAR SMOKING JOE, is hereby fined \$1,000.00 and suspended for a period of 15 days. Further, pursuant to New York State Gaming Rules 4120.5, CIGAR SMOKING JOE is declared disqualified from said race, and all purse earnings shall be returned and redistributed to appropriate finishers and must re-test negative for Altrenogest prior to being eligible to race. Having appeared before a representative of NYSGC on January 21, 2026, and waived the right to a formal hearing and appeal, the fine is hereby reduced to \$500.00 and suspension to 7 days, January 22, 2026, through and including January 28, 2026. During the term of his suspension, trainer Mike Rizzo is denied access to all course and grounds under the jurisdiction of the New York State Gaming Commission.

**STAFFORD, PAUL R**  
YR on 12/9/2025

**EAST WINDSOR, NJ** **YOB 1980**  
FINED: \$1,000  
FULL - 60 DAYS, 1/20/2026 THRU 3/20/2026  
*APPEALED - 1/24/2026*

**POSITIVE TEST- PRE RACE**

On 12/09/2025, at Yonkers Raceway, Paul Stafford was the trainer of the horse #6 MARLBANK ROAD in the 11th race. Pre-race sample tag number CV3606956 showed TCO2 concentration of 41.5 millimoles per liter, which exceeded the allowable limit by the NYSGC. Paul Stafford is hereby assessed a penalty of \$1000.00 fine and a 60-day suspension, to be served (01/20/2026 -03/20/2026). MARLBANK ROAD finished 6th in a field of eight. The horse MARLBANK ROAD, must submit a negative test prior to entering to race. Furthermore MARLBANK ROAD, must submit to a 6-hour pre-race detention each time raced for a period of 6 months, 12/09/2025 through 06/07/2026 without regard to whether the horse is transferred to a new owner or trainer. During the term of suspension, Paul Stafford, will be denied the privilege of and access to all grounds under the supervision of the NYSGC. No trainer transfers of horses owned by or in his care will be permitted without the approval of the presiding judge. (1st offense in this category)

***Status as of 1/24/2026 - Appeal - this ruling is under appeal as of 1/20/2026***

**VER HAGE, RYAN M**  
Hstng on 1/22/2026

**HASTINGS, MI** **YOB 1991**  
INDEFINITE SUSPENSION(IND) AS OF 1/22/2026

**FAILURE TO PAY FINE(S)**

MGCB Ruling 7695 - Failure to pay fine in the amount of \$2,500.00 as ordered by Stewards Ruling #7682. Suspension of all occupational licenses and denied the privileges of all grounds live and/or simulcast that are under the jurisdiction of the Michigan Horse Racing Law of 1995.

**PART THREE - WHIPPING VIOLATIONS**

**INDOF, JEREMY F**  
Mea on 1/23/2026

**BELLE VERNON, PA**  
FINED: \$200

**YOB 1996**

**EXCESSIVE OR INDISCRIMINATE USE OF WHIP**

PA Code Title 7: 205.409(c) Mr. Indof raised his whipping arm above shoulder level and used his whip with more than wrist and elbow action driving #1, ALWAYS A WARRIOR in The Meadows` ninth race on January 23, 2026. Mr. Indof is fined \$200 (fines are due within 10 days of ruling) and has waived his hearing/appeal rights.

**LYNCH, JASON T** **DELMAR, DE** **YOB 1989**  
**DD** on 1/22/2026 **FINED: \$200**  
**INAPPROPRIATE USE OF THE WHIP**  
Mr. Lynch did violate DHRC rule 7.6.13.14.3.2 and 7.6.13.13 Mr. Lynch did sign the waiver of hearing. Per DHRC rule 10.2.7.6 all fines are to be paid within 10 days of this ruling

**MCNEIGHT, JAMES P JR.** **LOCKPORT, NY** **YOB 1996**  
**Btva** on 1/27/2026 **FINED: \$100**  
**INAPPROPRIATE USE OF THE WHIP**  
Jim McNeight Jr, while driving the 1 horse, ALBRIGHT, in the 7th race at Batavia Downs, on January 27, 2026, was observed urging his horse with more than forearm and wrist action. This is Mr. McNeight`s first infraction of this nature in a 365-day period and is hereby fined \$100.00. Further violations of this nature will result in increased penalties.

**PRESTO, BRANDON J** **HOUSTON, PA** **YOB 1989**  
**Mea** on 1/22/2026 **FINED: \$200**  
**EXCESSIVE OR INDISCRIMINATE USE OF WHIP**  
PA Code Title 7: 205.501(14) 205.409(c) Mr. Presto used his whip excessively, raised his whipping arm above shoulder level, and used his whip with more that wrist and elbow action when warming up (before race seven) a horse called DART GUY for the Meadows` tenth race on January 22, 2026. Mr. Presto is fined \$200 (fines are due within ten days of ruling) and has waived his hearing/appeal rights.

#### **PART FOUR - MINOR PENALTIES**

**LEMUS, OLIVER P** **BALLSTON, NY** **YOB 1990**  
**MR** on 1/15/2026 **DRIVING - 3 DAYS, 1/22/2026 THRU 1/24/2026**  
**HORSE PLACED 4**  
**CHANGING COURSE/CAUSING INTERFERENCE**

**MERTON, THOMAS L** **MONTICELLO, NY** **YOB 1968**  
**MR** on 1/12/2026 **DRIVING - 3 DAYS, 1/22/2026 THRU 1/24/2026**  
**HORSE PLACED 5**  
**CHANGING COURSE/CAUSING INTERFERENCE**

**MILLER, BRETT A** **COLUMBUS, OH** **YOB 1973**  
**MVR** on 1/27/2026 **FINED: \$100**  
**INSIDE THE EURO RAIL / PYLON VIOLATION**

<b>PALONE, DAVID M</b> <b>Mea</b> on 1/17/2026 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>WASHINGTON, PA</b> FINED: \$200	<b>YOB 1962</b>
<b>STRATTON, CORY</b> <b>M</b> on 1/9/2026 <b>JOSTLE, STRIKE OR HOOK WHEELS</b>	<b>GOSHEN, NY</b> FINED: \$300	<b>YOB 1992</b>
<b>YODER, WILBUR L</b> <b>Mea</b> on 1/21/2026 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>WASHINGTON, PA</b> FINED: \$100	<b>YOB 1964</b>