

## FINES AND SUSPENSIONS BULLETIN

Fri, Feb 5 - Thu, Feb 11

### 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, Section 13 and 14 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 those published penalties.*

*Please note that the following action is in an abbreviated form. Further information may be available by contacting the Racing Commissions or their representatives.*

**DURANTE, JAMES P III**

**May on 7/24/2015**

**OAK PARK, IL**

**RESTORED TO GOOD STANDING(RES)**

**AS OF 2/4/2016**

**YOB 1957**

#### **POSSESSION OF HYPODERMIC NEEDLES, SYRINGES AND/OR INJECTABLE AND/OR OTHER DRUGS**

On July 24, 2015 the IRB Chief of Security conducted a search of trainer James Durante III's stable area at Maywood Park. The search resulted in the recovery of one 12cc syringe (attached 18 gauge needle) containing a semi-yellowish substance. Inasmuch as the substance is unknown, James Durante III is hereby excluded from the course and grounds for the possession of syringe and needles as well as pending the results of the University of Illinois at Chicago's animal forensic toxicology laboratory's identification of said substance. Illinois Horse Racing Act of 1975 (230 ILCS 5/9E); IRB Rule 603.80.

***Status as of 2/4/2016 - Subsequent Ruling - In as much that further laboratory testing of contraband material has been completed as per IRB ruling number 155042 and has proved to be inconclusive, trainer James Durante III is hereby restored to good standing in the state of Illinois.***

**HARMON, DONALD D**

**Nfld on 2/1/2016**

**JACKSON, MI**

**FINED: \$500**

**FULL - 15 DAYS, 2/6/2016 THRU**

**2/20/2016**

**YOB 1966**

**OTHER**

Mr. Harmon failed to conduct himself in a professional manner prior to race 8 on 2/1/16 when he kicked his horse (#5 Always A Tiger) in the stomach after the horse reared up and dumped him out of the sulky. This was an abusive act and against the best interest of racing. O.S.R.C.-3769-12-26(A)(10) 12-28 12-99 17-30(B) 17-33(A)&(B) 17-99 During his suspension Mr. Harmon is denied the use and privileges of all grounds sanctioned by the OSRC. All horses owned and/or trained by him are suspended and may only be transferred by the judges at Northfield Park and/or the OSRC in accordance to its policy.

**KING, JUSTIN K**  
**DD** on 1/26/2016

**LAUREL, DE**  
FULL - 30 DAYS, 2/8/2016 THRU  
3/8/2016

**YOB 1991**

**POSITIVE TEST - ILLEGAL SUBSTANCE TEST**

Trainer Justin K King is suspended for 30 days beginning February 8, 2016 to and including March 8, 2016 for a human drug positive. Mr. King may not enter horses until March 9, 2016. Sample #707810 from January 26, 2016 contained Morphine. DHRC rule: 5.1.8; 5.1.8.1;5.1.8.1.1; 5.1.8.2.7; 5.1.8.5.2. All trainer and owner transfers of horses from parties under full suspension to other owners or trainers must be approved by the DHRC Judges or the DHRC Administrator. DHRC rule: 10.2.8.3. Appeals are due within 48 hours of ruling.

**MOORE, KRISTIN L**  
**Nfld** on 1/12/2016  
**BAD CHECK**

**CONCORD, MI**  
FINED: \$50

**YOB 1981**

Ms. Moore issued a check for her 2016 OSRC license and the check was returned for No Sufficient Funds. The license fee and fine must be paid by 2/3/16. O.S.R.C.-3769-12-26(A)(6) 12-99

**O'MARA, MARK F**  
**HoP** on 10/28/2015

**PARKLAND, FL**  
FINED: \$500  
FULL - 15 DAYS, 4/1/2016 THRU  
4/15/2016  
HORSE DISQUALIFIED, PURSE  
REDISTRIBUTION

**YOB 1957**

**POSITIVE TEST- POST RACE**

71 IAC 5-3-2 71 IAC 8-1-2 Sample #E182262 collected on 10/28/15 from the horse Born To Thrive was found to contain GABAPENTIN. Split sample was confirmed by TVMDL. Mr. O`Mara as trainer is in violation of IHRC



***Judges ruling No. 15106PD, the ruling is hereby modified as follows:  
Mr. Sylvester will serve a nine (9) day suspension beginning 09  
February 2016 thru and including 17 February 2016. Mr. Sylvester will  
also pay a fine of one-thousand (\$1,000.00) dollars which must be  
satisfied by 17 February 2016. The horse MURDERERS ROW remains  
disqualified from the tenth (10th) race at Pocono Downs' and any and  
all purse money must be returned no later than 17 February 2016***

**TYLER, MARISSA K**  
CalX on 1/29/2016

**LEBANON, OH**  
INDEFINITE SUSPENSION(IND) AS OF  
1/30/2016

**YOB 1995**

**OTHER**

AN EX PARTE HEARING HAVING BEEN CONDUCTED UNDER THE PROVISIONS OF BUSINESS AND PROFESSIONS CODE #494 ON FRIDAY JANUARY 29, 2016, AND THE PETITIONERS REQUEST FOR AN INTERIM SUMMARY SUSPENSION HAVING BEEN GRANTED: THE WATCH AND WAGER LLC (CAL EXPO) BOARD OF STEWARDS ISSUE THE FOLLOWING RULING: TRAINER MARISSA TYLER IS HEREBY ISSUED AN INTERIM SUMMARY SUSPENSION EFFECTIVE IMMEDIATELY (JANUARY 30, 2016) AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL THE FINAL DISPOSITION OF THE COMPLAINTS FILED AGAINST HER. DURING THE TERM OF THE SUSPENSION ALL LICENSE PRIVILEGES OF MARISSA TYLER SHALL REMAIN SUSPENDED AND PURSUANT TO CALIFORNIA HORSE RACING BOARD RULE #1528 (JURISDICTION OF STEWARDS) SUBJECT IS DENIED ACCESS TO ALL PREMISES IN THIS JURISDICTION. ADDITIONALLY, THE RACING PRIVILEGES OF ALL HORSES OWNED OR TRAINED BY MS. TYLER ARE HEREBY SUSPENDED AND THESE HORSES MAY BE SOLD OR TRANSFERRED ONLY WITH THE PERMISSION OF THE BOARD OF STEWARDS

**UMHOLTZ, B CLAIR**  
Nfld on 1/5/2016

**SAGAMORE HILLS, OH**  
WARNING ISSUED

**YOB 1956**

**POSITIVE TEST- POST RACE**

Blood sample #822460 collected at Northfield Park on 1/5/16 from the horse Puttin On The Foil was found to contain flunixin at a concentration of 27+-2 nanograms per milliliter of plasma. This exceeds the Regulatory Threshold of 20 nanograms per milliliter adopted by the OSRC. O.S.R.C.-3769-18-01(B)(1)(a) 18-02 18-99

### PART THREE - WHIPPING VIOLATIONS

**DOWDALL, MICHAEL J**                      **RAVENNA, OH**                      **YOB 1968**  
Nfld on 12/4/2015                      FINED: \$300  
**INAPPROPRIATE USE OF THE WHIP**  
Mr. Dowdall has dropped his appeal of ruling NFLD-2015-221 and the penalty of \$300 must be paid by 2/3/16. O.S.R.C.-3769-17-17(E)&(L) 17-99

**POPIO, WILLIAM P**                      **MERCER, PA**                      **YOB 1948**  
Nfld on 2/3/2016                      FINED: \$300  
**FAILURE TO KEEP A LINE IN EACH HAND**  
While driving #6 Martino in race 9 on 2/3/16 he failed to keep a line in each hand when he whipped his horse in the stretch before the finish. O.S.R.C.-3769-17-17(A) 17-99

**THARPS, THOMAS ERIC JR.**                      **KETTERING, OH**                      **YOB 1992**  
MVR on 2/2/2016                      FINED: \$300  
**INAPPROPRIATE USE OF THE WHIP**  
Driver ERIC THARPS JR is hereby fined the sum of three hundred dollars (\$300.00) for a violation of Ohio State Racing Commission Rule 3769-17-17.(c). While driving No. 1 DIAMOND AMBER in the third race February 2, 2016 at Miami Valley Raceway, Mr. Tharps Jr did move his arm in an exaggerated manner during the stretch drive. This is Mr. Tharps Jr's first such violation of the use of the whip rule within the last 365 days in the state of Ohio. All fines are due within forty-eight hours of the date of this ruling.

### PART FOUR - MINOR PENALTIES

**BIER, SEAN**                      **CAMDEN WYOMING, DE**                      **YOB 1975**  
DD on 2/1/2016                      FINED: \$100  
**INSIDE THE EURO RAIL / PYLON VIOLATION**

**CLEVENGER, TIM**                      **FAIR OAKS, CA**                      **YOB 1984**  
CaIX on 1/31/2016                      FINED: \$100  
**FAILURE TO KEEP BOTH FEET IN THE STIRRUPS**

**GINGRAS, YANNICK**                      **ALLENTOWN, NJ**                      **YOB 1979**  
DD on 2/8/2016                      FINED: \$200  
**FAILURE TO DRIVE WHEN PROGRAMMED**

<b>HALL, TONY A</b> Mea on 2/3/2016	<b>WASHINGTON, PA</b> FINED: \$200 HORSE PLACED 5 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>YOB 1978</b>
<b>HECHKOFF, ROBERT B</b> YR on 2/6/2016 <b>KICKING A HORSE</b>	<b>NEW YORK, NY</b> FINED: \$100	<b>YOB 1954</b>
<b>HERNANDEZ, WILLIAMS</b> CaIX on 1/31/2016 <b>FAILURE TO COME UP/STAY IN POSITION</b>	<b>VERNON, NY</b> FINED: \$50	<b>YOB 1986</b>
<b>HOLLIDAY, KENNETH R</b> MVR on 1/31/2016 <b>DELAYING THE POST PARADE</b>	<b>LEBANON, OH</b> FINED: \$50	<b>YOB 1963</b>
<b>KIRBY, VICTOR</b> DD on 2/1/2016	<b>MILFORD, DE</b> FINED: \$300 HORSE PLACED 8 <b>CHANGING COURSE/CAUSING INTERFERENCE</b>	<b>YOB 1972</b>
<b>KONRAD, EDWARD M</b> Nfld on 1/30/2016 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>WESTLAND, MI</b> FINED: \$25	<b>YOB 1964</b>
<b>LEWIS, JULIUS S</b> CaIX on 1/31/2016 <b>OTHER</b> CaIX on 1/31/2016 <b>OTHER</b>	<b>CITRUS HEIGHTS, CA</b> FINED: \$300  FINED: \$300	<b>YOB 1954</b>
<b>MICALLEF, MICHAEL L</b> PPk on 2/3/2016	<b>POMPANO BCH, FL</b> FINED: \$100 HORSE PLACED 6 <b>CHANGING COURSE/CAUSING INTERFERENCE</b> PPk on 2/8/2016 FINED: \$50 <b>LATE TO THE PADDOCK</b>	<b>YOB 1973</b>
<b>MILLER, BENJAMIN L</b> Nfld on 2/3/2016	<b>MILLERSBURG, OH</b> FINED: \$100	<b>YOB 1943</b>

**HORSE LATE TO THE PADDOCK**

<b>OAKES, CHRISTOPHER W</b> PPk on 2/6/2016 <b>LATE TO THE LASIX/ DETENTION BARN</b>	<b>WILKES BARRE, PA</b> FINED: \$100	<b>YOB 1964</b>
<b>PACHECO, JESSIE L</b> CaIX on 1/31/2016 <b>FAILURE TO BE PROPERLY DRESSED</b> CaIX on 1/31/2016 <b>FAILURE TO WEAR/SECURE HELMET</b>	<b>ACAMPO, CA</b> FINED: \$50 FINED: \$50	<b>YOB 1992</b>
<b>PALONE, DAVID M</b> Mea on 2/1/2016 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>WASHINGTON, PA</b> FINED: \$200	<b>YOB 1962</b>
<b>PANTALEANO, JAMES R</b> Mea on 2/1/2016 <b>TAKE UP ABRUPTLY/SIT DOWN IN FRONT OF HORSES CAUSING CONFUSION AMONG TRAILING HORSES</b> Mea on 2/1/2016 <b>KICKING A HORSE</b>	<b>CANONSBURG, PA</b> FINED: \$200 HORSE PLACED 8 FINED: \$250	<b>YOB 1962</b>
<b>SALERNO, JIMMY M</b> MVR on 1/31/2016 <b>PARTICIPATING WITHOUT A VALID LICENSE</b>	<b>WINDGAP, PA</b> FINED: \$100	<b>YOB 1966</b>
<b>STALBAUM, LARRY D</b> MR on 2/8/2016 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>MATAMORAS, PA</b> FINED: \$50	<b>YOB 1963</b>
<b>TAGGART, JAMES R</b> MR on 2/4/2016 <b>INSIDE THE EURO RAIL / PYLON VIOLATION</b>	<b>MONTICELLO, NY</b> FINED: \$50	<b>YOB 1941</b>
<b>TETRICK, TRACE A</b> MVR on 2/1/2016 <b>CHANGING COURSE/CAUSING INTERFERENCE</b>	<b>ANDERSON, IN</b> FINED: \$250	<b>YOB 1986</b>

**ZUBKOFF, EDWARD J JR**

**WINTERSVILLE, OH**

**YOB 1962**

**Nfld on 1/30/2016**

**FINED: \$200**

**FAILURE TO HONOR DECLARATION**