

FINES AND SUSPENSIONS BULLETIN

Fri, Nov 18 - Thu, Nov 24

PART ONE

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

STUART, JAMES W **HARRINGTON, DE** **YOB 1976**
USTA on 11/21/2016 **DENIAL(DEN) AS OF 11/21/2016**
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, 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.

BIER, DARYL SCOTT **CLAYTON, DE** **YOB 1966**
DD on 11/15/2016 **FULL - 30 DAYS, 11/15/2016 THRU**
12/14/2016
POSITIVE TEST - ILLEGAL SUBSTANCE TEST
Mr. Daryl Bier is issued a 30 day Full Suspension of his Delaware Racing Commission License beginning November 15, 2016 to and including December 14, 2016 for failing a human drug test (cannabinoid). Mr. Bier declined to send a split sample. He is responsible for payment of his failed test (\$69.32) and for any future tests that he is directed to take until notified otherwise. Under this suspension Mr. Bier is not allowed on any property under DHRC jurisdiction. DHRC rule: 5.1.8.2.7; 5.1.8.5.2.

CLEVENGER, TIM **FAIR OAKS, CA** **YOB 1984**
HoP on 10/27/2016 **FINED: \$500**
POSITIVE TEST- POST RACE
71 IAC 5-3-2 8-1-4(A)(a) Sample #219352 collected on 10/27/16 from the horse Sand Fortune was found to contain PHENYLBUTAZONE at a level above the allowable limit. Limit 2 mg/ml-Tested 3.3 mg/ml. Mr. Clevenger as trainer is in violation of the IHRC medication rules and the trainer responsibility rule. 1 MMV point assessed.
HoP on 10/29/2016

POSITIVE TEST- POST RACE

71 IAC 5-3-2 8-1-4.1(A)(a) Sample #E219396 collected on 10/29/16 from the horse Stable Eyes was found to contain PHENYLBUTAZONE at a level above the allowable limit. Limit 2.0 mg/ml-Tested 3.1 mg/ml. Mr. Clevenger as trainer is in violation of IHRC medication rules and the trainer responsibility rule. There were mitigating circumstances involved in this case.(Time of notification)

ELLIOTT, CHARLES R
DD on 11/11/2016

ELLENDALE, DE **YOB 1954**
FULL - 30 DAYS, 11/16/2016 THRU
12/15/2016

POSITIVE TEST - ILLEGAL SUBSTANCE TEST

Mr. Charles Elliott is issued a 30 day Full Suspension of his Delaware Racing Commission License beginning November 16, 2016 to and including December 15, 2016 for failing a human drug test (oxycodone). Mr. Elliott declined to send a split sample. He is responsible for payment of his failed test (\$69.32) and for any future tests that he is directed to take until notified otherwise. Under this suspension Mr. Elliott is not allowed on any property under DHRC jurisdiction. DHRC rule: 5.1.8.2.7. 5.1.8.5.2.

FISHER, DR. PAUL W
PcD on 10/2/2016

FREELTON, ON **YOB 1937**
FINED: \$50
INDEFINITE SUSPENSION(IND) AS OF
11/22/2016

FAILURE TO OBTAIN PROPER LICENSE

PA Code 58-183.2 Mr. Fisher has failed to complete his licensing requirements in Pennsylvania for 2016. He is fined \$50.00 and is suspended indefinitely starting on 11/22/16 and will continue to be suspended until he pays his fine and completes his licensing requirements.

LOY, TYE R
Nfld on 6/21/2016

COLUMBIA STATION, OH **YOB 1955**
FINED: \$1,000
FULL - 15 DAYS, 11/20/2016 THRU
12/4/2016

POSITIVE TEST- POST RACE

Mr. Loy has dropped his appeal of ruling NFLD-2016-126 and the penalty has been amended. All purse money must be returned (\$7,500.00). O.S.R.C.-3769-18-01(B)(10)&(13) 18-02 18-99 Subject is barred from all grounds governed by the OSRC during his suspension. Any horses under subject's care that he wants to transfer to another owner or trainer must be

approved by the judges or the OSRC.

MILICI, THOMAS G
PHL on 10/16/2016

MONTGOMERY, NY

YOB 1955

FINED: \$1,000
HORSE DISQUALIFIED - PLACED 9,
PURSE REDISTRIBUTION

POSITIVE TEST- POST RACE

PA CODE 58-183.352 183.355 183.357 183.336 Sample #311441 collected on 10/16/2016 from the horse Halton Hurricane was found to contain Isoflupredone. Tom Milici as trainer is in violation of PHRC medication rules and the trainer responsibility rule. All purse money earned on 10/16/2016 must be returned within 10 days of ruling and redistributed. Fine must be paid within 10 days of ruling. (Appeal waiver signed)

YR on 10/22/2016

FINED: \$250

POSITIVE TEST- POST RACE

NOLAN, PATRICIA J

Nfld on 10/19/2016

CHARLOTTE, MI

YOB 1957

INDEFINITE SUSPENSION(IND) AS OF
11/22/2016

FALSIFICATION OF LICENSE APPLICATION

Patricia Nolan Smith is hereby suspended until she contacts the judges at Northfield Park regarding her 2016 OSRC license application. O.S.R.C.- 3769-12-26(A)(7) 12-99

POILLUCCI, RICHARD

HoP on 10/29/2016

NORTH EASTON, MA

YOB 1956

FAILURE TO OBTAIN PROPER LICENSE

71 IAC 5-1-1 Mr. Poillucci failed to complete licensing requirements for 2016 in Indiana by failing to submit fingerprints.

Status as of 11/15/2016 - Subsequent Ruling - Having completed his licensing requirements, Mr. Poillucci is restored to good standing in the state of Indiana.

SHAHAN, ROBERT R

DD on 11/10/2016

HARRINGTON, DE

YOB 1953

FINED: \$1,000

POSITIVE TEST- PRE RACE

Trainer Robert R Shahan, being trainer of record on the horse HARDSCRABBLE TILLY, is fined \$1000.00 Dollars and HARDSCRABBLE TILLY is placed on the Steward's List for 14 days for failing a pre-race test on November 10, 2016. Any horse that tests at a level over 12.3 with Lasix

is positive and is declared unfit to race. HARDSCRABBLE TILLY tested at a Base Excess Level of 14 mmol/l, first test and at 12.9 mmol/l second test. DHRC rule: 8.9.14.2.1; 8.9.14.2.3. After 14 days HARDSCRABBLE TILLY must pass a blood gas test and re-qualify to compete in purse events. DHRC rule: 8.9.15.1.1; 8.9.15.1.2. Fines are due within 10 days of written rule. Appeals are due within 48 hours of written rule. Mr. Shahan had a judge`s hearing at Dover Downs on November 16 2016 at Dover Downs.

SILPATH, KIMBERLY A
PHL on 11/15/2016

MARLTON, NJ **YOB 1967**
FINED: \$50
INDEFINITE SUSPENSION(IND) AS OF
11/21/2016

FAILURE TO OBTAIN PROPER LICENSE

PA Code 58-183.251 Failed to complete licensing requirements for 2016 in Pennsylvania. Please note further that you have the right to appeal this decision in writing to the State Horse Racing Commission within ten (10) days after notice of this decision. The mailing address for an appeal is: The State Horse Racing Commission 2301 North Cameron Street Room 301 Harrisburg PA, 17110 ATTN: Fred Strathmeyer Phone (717) 787-5196

PART THREE - WHIPPING VIOLATIONS

ATHEARN, MATTHEW M
PRc on 11/18/2016

CUMBERLAND, ME **YOB 1998**
FINED: \$100

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

205 CMR 3.12 (1) USTA 18.09 (a) While driving # 4 ONE EYED ALLEY CAT in the 8TH race at Plainridge Park Casino on 11/18/2016, Mr. Athearn used his whip in an excessive manner. 205 CMR 3.10, all fines shall be paid to the racing division within 48 hours after imposition. 205 CMR 3.03 (2) all appeals must be filed in writing at the office of the racing division within 10 days of ruling.

BURTON, BRIAN E
RcR on 11/8/2016

CAMBRIDGE, MD **YOB 1978**
FINED: \$200

APPEALED - 11/22/2016

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Driver Brian Burton is fined \$200 for non-abusive whipping causing visible welts on PEKOE FASHION in the 11th race on 11/8/16 at Rosecroft Raceway. COMAR: 09.10.03.03 A(14)

Status as of 11/22/2016 - Appeal - Ruling appealed 11/17/16 to the Maryland Racing Commission.

KENNEDY, MARK A **ELK GROVE, CA** **YOB 1984**
CaIX on 10/22/2016 FINED: \$100

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Violation of Watch and Wager LLC House Rule (drivers may not use the whip more than three times in succession without giving the horse a chance to respond) and CHRB Rule #1530. First offense in the last sixty days.

CaIX on 10/22/2016 FINED: \$100

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

OFFUTT, TIMMY J **WOODSBORO, MD** **YOB 1982**
RcR on 11/8/2016 FINED: \$200

APPEALED - 11/22/2016

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Driver Tim Offutt is fined \$200 for non-abusive whipping causing visible welts on BROCK N BRIAN in the 5th race on 11/8/16 at Rosecroft Raceway. COMAR: 09.10.03.03 A(14)

Status as of 11/22/2016 - Appeal - Ruling appealed 11/17/16 to the Maryland Racing Commission

THARPS, THOMAS ERIC JR. **KETTERING, OH** **YOB 1992**
Nfld on 8/10/2016

EXCESSIVE OR INDISCRIMINATE USE OF WHIP

Ruling #NFLD-2016-135 issued to Mr. Tharps is hereby rescinded. O.S.R.C.-3769-12-26(B)

Nfld on 8/10/2016

FINED: \$500

DRIVING - 3 DAYS, 12/3/2016 THRU 12/5/2016

OTHER

Mr. Tharps has dropped his appeal of ruling #NFLD-2016-136 and the penalty has been amended. O.S.R.C.-3769-17-17(L) 17-99

WHITAKER, LADARRIUS **BEDFORD, OH** **YOB 1994**
MICHAEL

Nfld on 11/13/2016

FINED: \$300

DRIVING - 3 DAYS, 11/21/2016 THRU 11/23/2016

WHIP EXCEEDED LENGTH ALLOWED

Mr. Whitaker entered the race track and post paraded #1 St Elian`s Fire in race 5 on 11/13/16 with an illegal whip (second offense). O.S.R.C.-3769-17-17(K) 17-99

YODER, WILBUR L **WASHINGTON, PA** **YOB 1964**
Mea on 11/15/2016 **FINED: \$250**

INAPPROPRIATE USE OF THE WHIP

PA Code Title 58-183.264(b). Mr. Yoder while driving #3 JEFFERSON COUNTY in the 6th Race at The Meadows on November 15, 2016 did whip his horse after the finish. The fine is \$250, and is due by December 6, 2016. Mr. Yoder has 10 days to appeal this decision to the Pennsylvania State Horse Racing Commission, Bureau of Standardbred Racing. The address to appeal appears at the bottom of this ruling.

PART FOUR - MINOR PENALTIES

ANSWENEY, SHAWN P **EDEN, NY** **YOB 1969**
PRc on 11/18/2016 **FINED: \$100**
LATE TO THE LASIX/ DETENTION BARN

BAMOND, JEFFREY JR. **BRICK, NJ** **YOB 1984**
PHL on 11/11/2016 **FINED: \$200**
LATE DRIVER CHANGE

BAYNES, RAY **FREEHOLD, NJ** **YOB 1956**
Fhld on 11/11/2016 **FINED: \$50**
OTHER

BEELER, PATRICK L **LIVINGSTON MANOR, NY** **YOB 1968**
MR on 11/23/2016 **DRIVING - 5 DAYS, 11/25/2016 THRU**
 11/29/2016
FAILURE TO DRIVE WHEN PROGRAMMED

BERRY, PATRICK D **MONROE, NJ** **YOB 1976**
PHL on 11/16/2016 **FINED: \$200**
FAILURE TO KEEP BOTH FEET IN THE STIRRUPS
PHL on 11/16/2016 **FINED: \$200**
TALKING ON THE RACE TRACK
PHL on 11/18/2016 **FINED: \$200**
INSIDE THE EURO RAIL / PYLON VIOLATION

CALLAHAN, COREY PHL on 11/18/2016 TALKING ON THE RACE TRACK	MIDDLETOWN, DE FINED: \$200	YOB 1978
CAMPBELL, WINSTON D Scar on 11/13/2016 TAKE UP ABRUPTLY/SIT DOWN IN FRONT OF HORSES CAUSING CONFUSION AMONG TRAILING HORSES	SCARBOROUGH, ME FINED: \$200 HORSE PLACED 5	YOB 1967
CASSAR, DARRAN F PHL on 11/11/2016 LATE DRIVER CHANGE	NORTH HANOVER, NJ FINED: \$200	YOB 1977
COCCIOLONE, CARL R Mea on 11/14/2016 FAILURE TO DESIGNATE RESPONSIBLE PERSON/TRAINER IN PADDOCK	MONESSEN, PA FINED: \$100	YOB 1956
CUSHING, CHARLENE PRc on 11/22/2016 LATE TO THE LASIX/ DETENTION BARN	FARMINGTON, ME FINED: \$100	YOB 1972
DESLANDES, DAN S Scar on 11/13/2016 KICKING A HORSE	SACO, ME FINED: \$125	YOB 1992
DOWSE, GARETH W M on 10/29/2016 RIDING TWO ON A SULKY	MONTGOMERY, NY FINED: \$100	YOB 1982
GIRARD, PIERRE CaIX on 11/11/2016 FAILURE TO COME UP/STAY IN POSITION	ELK GROVE, CA FINED: \$50	YOB 1944
KRANCHAK, MICHAEL J DD on 11/3/2016 FAILURE TO BE PROPERLY DRESSED	WRIGHTSTOWN, NJ FINED: \$50	YOB UNKN

KREISER, CORY	MYERSTOWN, PA	YOB 1993
Mea on 11/19/2016	FINED: \$100	
FAILURE TO DESIGNATE RESPONSIBLE PERSON/TRAINER IN Paddock		
Mea on 11/21/2016	FINED: \$100	
FAILURE TO DESIGNATE RESPONSIBLE PERSON/TRAINER IN Paddock		
KRIVELIN, ROBERT J	GOSHEN, NY	YOB 1951
M on 11/4/2016	DRIVING - 3 DAYS, 11/10/2016 THRU 11/12/2016	
CHANGING COURSE/CAUSING INTERFERENCE		
MANN, WILLIAM P	HELLERTOWN, PA	YOB 1976
MR on 11/21/2016	FINED: \$50	
FAILURE TO DRIVE WHEN PROGRAMMED		
MC GIVERN, MICHAEL E	GANSEVOORT, NY	YOB 1956
Stga on 10/30/2016	DRIVING - 3 DAYS, 11/19/2016 THRU 11/21/2016	
CARRY A HORSE OUT		
MCCARTHY, ANDREW JOHN	SWEDESBORO, NJ	YOB 1986
PHL on 11/18/2016	FINED: \$200	
TALKING ON THE RACE TRACK		
MCNAIR, DOUGLAS R	GUELPH, ON	YOB 1989
M on 10/28/2016	FINED: \$100	
INSIDE THE EURO RAIL / PYLON VIOLATION		
MERRIMAN, AARON EDWARD	NORTHFIELD, OH	YOB 1978
Nfld on 11/15/2016	FINED: \$25	
INSIDE THE EURO RAIL / PYLON VIOLATION		
Nfld on 11/15/2016	FINED: \$50	
TALKING ON THE RACE TRACK		
MERRIMAN, JASON RUSSELL	MONROE, MI	YOB 1986
Nfld on 11/14/2016	FINED: \$50	
TALKING ON THE RACE TRACK		
Nfld on 11/20/2016	FINED: \$25	

INSIDE THE EURO RAIL / PYLON VIOLATION

MEYER, ALBERT D DD on 11/3/2016 FAILURE TO BE PROPERLY DRESSED	BELMAR, NJ FINED: \$50	YOB 1958
MILLER, ERVIN M YR on 11/21/2016 LATE DRIVER CHANGE	WIND GAP, PA FINED: \$100	YOB 1966
PAGE, CHRIS L Nfld on 11/14/2016 TALKING ON THE RACE TRACK	MT VERNON, OH FINED: \$50	YOB 1983
PANTALEANO, CHRISTEN M Mea on 11/19/2016 FAILURE TO DESIGNATE RESPONSIBLE PERSON/TRAINER IN PADDOCK	CANONSBURG, PA FINED: \$100	YOB 1975
ROBERTS, JONATHAN W RcR on 11/10/2016 CROWDING/PUTTING ANOTHER WHEEL UNDER ANOTHER HORSE OR DRIVER	DOVER, DE FINED: \$150 HORSE PLACED 4	YOB 1981
ROY, PAUL Fhld on 11/15/2016 INSIDE THE EURO RAIL / PYLON VIOLATION	MOUNT BETHEL, PA FINED: \$25	YOB 1956
STRATTON, DENELLE M M on 10/29/2016 RIDING TWO ON A SULKY	MIDDLETOWN, NY FINED: \$100	YOB 1985
SUCCAROTTE, ANTHONY T CaIX on 11/12/2016 FAILURE TO COME UP/STAY IN POSITION	SACRAMENTO, CA FINED: \$50	YOB 1966
TACKETT, ZACH DTN on 11/12/2016	XENIA, OH FINED: \$50	YOB 1989

LATE DRIVER CHANGE

TAGGART, JIM R JR MR on 11/7/2016 TALKING ON THE RACE TRACK	WILKES BARRE, PA FINED: \$50	YOB 1970
TETRICK, TIM A PHL on 11/16/2016 TALKING ON THE RACE TRACK	WOOLWICH TWP, NJ FINED: \$200	YOB 1981
THARPS, TRENT E JR DTN on 11/14/2016 IMPEDING THE PROGRESS OF ANOTHER HORSE	LEBANON, OH FINED: \$100	YOB 1981
TIRELLA, CARL Stga on 10/29/2016 LATE DRIVER CHANGE	DOBBS FERRY, NY FINED: \$50	YOB 1954
WRENN, RONNIE H JR. Nfld on 11/15/2016 TALKING ON THE RACE TRACK	STOW, OH FINED: \$50	YOB 1986
ZERON, SCOTT RICHARD YR on 11/8/2016 IMPEDING THE PROGRESS OF ANOTHER HORSE	EDGEWATER, NJ DRIVING - 3 DAYS, 11/20/2016 THRU 11/22/2016 HORSE PLACED 5	YOB 1989