

COMPLAINT

CASE NUMBER: **23GG0054**

The CHRB hereby files a complaint against **Donna Smartt** for violation of HISA Rule **2262(c)(5)**. The person named in this complaint holds a license as a **Owner**, license number **113959-09/23**. The offense alleged occurred on or about **02/03/23** and

is as follows:

The horse El Joy, Trained by Eoin G. Harty, ran in race #4 at Golden Gate Fields, finishing 5th. El Joy was claimed in that race by Trainer Timothy Bellasis (070354 -10/23) and owners Cassandra Tschanz (079792-1/24) and Donna Smartt (113959-9/23) for \$20,000. On 2/21/23, CHRB Investigators were informed that the blood sample taken immediately after the race from El Joy tested positive for phenylbutazone (Case# 23GG0020). Trainer Harty invoked the right to a split sample. On 3/24/23, Texas Veterinarian Medical Diagnostic Laboratory confirmed the presence of phenylbutazone. Ruling PRTG057 on 05/05/23 imposed a fine. According to Horseracing Integrity and Safety Authority (HISA) Rule 2262(c)(5), the horse's claim shall be voided and the horse and claim money returned.

Pursuant to Business and Professions Code Section 19420, 19440, and CHRB Rules, the stewards are empowered to impose penalties for violation of any provision of the CHRB Rules. Such penalties may consist of suspension of any license, fines, and exclusion from all racing enclosures under the jurisdiction of the Board or by any combination of these penalties.

Date : 04/29/23	Complainant : CHRB Inv. J. Smith #27
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NOTICE TO APPEAR

To **Donna Smartt** you are hereby notified to appear before the Board of Stewards at the below listed location, date, and time.

Location: Golden Gate Fields, Berkeley, CA.	Date: Thursday, 05/11/2023	Time: 9:30 a.m.
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You are entitled to reasonable notice of the hearing and reasonable time to prepare for the hearing. If you need additional time to prepare for the hearing, you must contact the Board of Stewards within 72 hours of receipt of this notice. All requests for a continuance must be in writing. You should be prepared to justify your request for additional time. Granting or denial of a request for additional time is within the sound discretion of the stewards. The hearing will be conducted in accordance with the GOVERNING PROCEDURES FOR HEARING BEFORE THE BOARD OF STEWARDS, a copy of which is attached to this Complaint and Notice to Appear.

Investigator	Date
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DISPOSITION OF CASE

The stewards have taken the following action on CASE NUMBER: **23GG0054**

Re Owner Donna Smartt 113959-09/23:

_____	_____
Steward	Date
_____	_____
Steward	Date
_____	_____
Steward	Date