

15<sup>th</sup> May 2013

## RACING APPEALS TRIBUNAL

RAT 16/12, RAT 2/13 and RAT 3/13

DATE OF ORDER: TUESDAY, 14 MAY 2013



TRIBUNAL: DEPUTY PRESIDENT: MR M KING

MR P MARKS REPRESENTING GREYHOUND RACING SA LTD

APPELLANT: MR M FAMIGLIETTI

MR B DEEGAN REPRESENTING THE APPELLANT

IN THE MATTER of Appeals by MICHELE FAMIGLIETTI against decisions of Greyhound Racing SA Ltd Stewards.

BREACH OF RULE: GAR 83(2)

Rule 83(2): The owner, trainer or person in charge of a greyhound –

- (a) nominated to compete in an Event;
- (b) presented for a satisfactory, weight or whelping trial or such other trial as provided for pursuant to these Rules; or
- (c) presented for any test or examination for the purpose of a period of incapacitation or prohibition being varied or revoked shall present the greyhound free or any prohibited substance.

### ORDER

By decision of the Stewards on 18 December 2012 the Appellant was convicted of a breach of Greyhound Racing Rule 83. The Stewards by way of penalty imposed a disqualification for a period of 12 months. The Appellant appealed to this Tribunal and the operation of the disqualification was suspended pending resolution of this appeal.

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By further decision of the Stewards on 27 March 2013, the Appellant was convicted of further breaches of Greyhound Racing Rule 83 and penalties of disqualification for 18 months and 24 months respectively were imposed.

The Appellant appealed to this Tribunal against all three penalties, the appeals being RAT 16/12, RAT 2/13 and RAT 3/13. All three appeals were listed to be heard together on 14 May 2013. The Appellant now, with the consent of the Respondent, seeks leave to withdraw all three appeals and seeks ancillary orders.

On the application of the Appellant, and with the consent of the Respondent:

1. I grant leave to the Appellant to withdraw each of the appeals.
2. I direct that the three periods of disqualification currently imposed by the three orders of the Stewards be served concurrently, to the effect that the Appellant shall serve a period of disqualification of 24 months in total.
3. I direct that the Appellant's period of disqualification shall commence at midnight on Tuesday, 28 May 2013.
4. I order a refund of the applicable portion of the bond in the case of each of the three appeals.



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