

APPEAL RESULT

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FROM: Registrar – Racing Appeals and Disciplinary Board

DATE: 2 January 2014

SUBJECT: **APPEAL HEARING RESULT – JOCKEY: PAUL MARKS**

Panel Judge Russell Lewis (Chair), Dr June Smith, Mr Ron Taylor.

Appearances Mr Marks appeared on his own behalf, assisted by Mr Des O’Keeffe.
Mr Corie Waller appeared on behalf of the Stewards.

At Horsham on Sunday 22 December 2013, jockey Paul Marks was found guilty of a charge of careless riding on his mount *Life’s a Butterfly* in Race 4 the *Mixx FM 0-58 Handicap* (1800m.)

The careless riding being that he permitted his mount *Life’s A Butterfly* to shift in when insufficiently clear of *Liberty Blaze*, which had to be restrained by its rider D Yendall.

Mr Marks had his licence to ride in races suspended for a period to commence at midnight on Sunday, 22 December 2013 and to expire at midnight on Monday, 30 December 2013 – a total of 8 race meetings (2 metro, 6 provincial).

In assessing the matter, Stewards took into account P Marks’ very good record and deemed the incident to be in the low range.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Monday, 23 December 2013.

A stay of proceedings was granted effective until midnight on Wednesday, 1 January 2014.

DECISION: **Appeal allowed.**

Penalty varied so that the period of suspension will now expire at midnight on Monday, 6 January 2014.

**TRANSCRIPT OF
PROCEEDINGS**

RACING APPEALS AND DISCIPLINARY BOARD

**HIS HONOUR JUDGE R.P.L. LEWIS, Chairman
DR J. SMITH
MR R. TAYLOR**

EXTRACT OF PROCEEDINGS

DECISION

**IN THE MATTER OF THE MIXX FM 0-58 HANDICAP
OVER 1800 METRES AT HORSHAM ON 22/12/13**

JOCKEY: PAUL MARKS

MELBOURNE

THURSDAY, 2 JANUARY 2014

MR C. WALLER appeared on behalf of the RVL Stewards

MR P. MARKS, assisted by MR D. O'KEEFFE, appeared on his own behalf

CHAIRMAN: In this case, the Board is of the opinion that the Appellant was guilty of carelessness, but the carelessness was in the lower registers of the low range. Taking into account the Appellant's good record, the Board is minded to vary the penalty so that the suspension will expire at midnight on 6 January 2014.
