

STATE OF ARIZONA
DEPARTMENT OF GAMING
RACING DIVISION

In the Matter of

DAVID W. VAN WINKLE,
License No. 11151,
Appellant.

Case No. 18A-005-DOR

NOTICE OF APPEAL HEARING

DIRECTED TO:

David W. Van Winkle
1401 W. Port Au Prince Lane
Phoenix, AZ 85023

YOU ARE HEREBY NOTIFIED that, pursuant to Arizona Administrative Code (“A.A.C.”) R19-2-123(A)(4), the Director of the Division of Racing (“Director”) has decided that a hearing is appropriate in this matter. The Director will conduct a hearing at 10:00 a.m., Thursday, May 3, 2018. The hearing will take place in the conference room of the Arizona Department of Gaming located at 1110 W. Washington Street, Suite 450, Phoenix, Arizona.

The purpose of the hearing is to address your appeal filed on or about April 2, 2018, and pursuant to A.A.C. R19-2-123(A)(1), seeking review by the Director of the decision of the Turf Board of Stewards that you “do not feel the stewards decision in the 5th race on 3-31-18 was in the best interest of horse racing” against your horse, the #9 “HIGH SECURITY” in the 5th race on March 31, 2018 at Turf Paradise Race Track.

You may appear with or without the assistance of an attorney on the date and at the time and place specified in this Notice of Hearing. You may present testimony and argument in support of your appeal. At the hearing, you will have the burden of proof with respect to your claim that the Stewards ruling was incorrect.

YOU ARE FURTHER NOTIFIED that if you fail to appear, the Director may proceed and determine the matter in your absence pursuant to A.A.C. R19-2-123(D)(2).

Pursuant to A.R.S. § 41-1092.06(A), you have the right to request an informal settlement conference by filing a written request with the Board no later than twenty (20) days before the scheduled hearing. The conference will be held within fifteen (15) days after receipt

1 of your request. Please note that you waive any right to object to the participation of the
2 Board's representative in the final administrative decision of the matter if it is not settled at the
3 conference.

4 In accordance with Title II of the Americans with Disabilities Act (ADA), the
5 Department does not discriminate on the basis of disability in admission to and participation in
6 hearings. Should you, or anyone you call as a witness need special accommodations, please
7 contact Cassie Goodwin at (602) 255-3876 at least five (5) business days before the hearing.

8 DATED this 9th day of April, 2018

9
10 
11 RUDY CASELLAS
DIRECTOR RACING DIVISION

12 A copy of the foregoing Notice served by EMAIL or FIRST CLASS MAIL this 9th day of April,
13 2018 upon:

14 David W. Van Winkle
15 DVW1401@GMAIL.COM
16 1401 W. Port Au Prince Ln.
Phoenix, AZ 85023
(Owner of High Security)

17 James Robert Allen Brown
18 1001 3740 Albert St. 1001
Burnaby, BC V5C547
(Owner of Power Corrupt)

19 A copy HAND-DELIVERED to:

20 Deanie Reh
21 Assistant Attorney General
22 15 S. 15th Ave.
Phoenix, AZ 85007

23 Turf Paradise Board of Stewards

24 By 
25 _____
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