



Appeal Result

Distribution : Chief Executive
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FROM : Registrar – Racing Appeals and Disciplinary Board

DATE : 30 March 2009

SUBJECT : APPEAL HEARING RESULT: JOCKEY PETER MERTENS

At Sale on Wednesday 25 March 2009 jockey Peter Mertens was found guilty of a charge of careless riding on his mount *Oak Heart* in Race 7 the *Aygee Portino Country Showcase 0-62 Handicap* (2210m).

The careless riding being that near the 300 metres he permitted his mount to shift in when not sufficiently clear of *Kindly*, tightening that gelding onto the hindquarters of *Carulli* which shifted out slightly before being turned out further.

Peter Mertens had his licence to ride in races suspended for a period to commence midnight Friday 27 March 2009 and to expire midnight Friday 3 April 2009, a total of 8 race meetings (3 metropolitan, 5 country). In determining penalty Stewards took into account the slight shift from *Carulli*.

A Notice of Appeal against **the decision and severity of the penalty** was lodged on Friday 27 March 2009.

A stay of proceedings was granted effective until midnight Sunday 29 March 2009.

DECISION: **Appeal dismissed.**

A late application to withdraw the appeal on the severity of the penalty was accepted by the Board, with the period of suspension to expire midnight Sunday 5th April 2009.

Georgie Curtis

Registrar
Racing Appeals & Disciplinary Board