



STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
DELAWARE THOROUGHBRED RACING COMMISSION
777 DELAWARE PARK BLVD, WILMINGTON, DE 19804
AGRICULTURE.DELAWARE.GOV

(302) 994-2521 EXT. 7247

OFFICE OF THE STEWARDS

FAX: (302) 994-3567

Stewards Ruling 116B-2024

Ruling Date: 09/20/2024

Licensee: Nilo Pessanha

DOB: 07/19/1982

Violation Date: 09/17/2024

License Type: Assistant Trainer/Groom

RCI ID: 2190559

Ruling Type/Description: Improper or Inhumane Treatment of An Animal

DTRC Rules Cited: 2.5.1.14, 2.5.1.20, 2.5.1.22, 3.3 All, 3.4 All, 7.6 and 18.1.3.

Suspension: Yes

Suspension Start Date: 10/25/2024

Suspension End Date: 01/31/2025

Narrative:

Assistant Trainer/Groom Nilo Pessanha, DOB: 07/19/1982 RCI ID: 2190559, after appearing before the Board of Stewards at Delaware Park in a hearing on September 17, 2024, to answer to a complaint lodged by Delaware licensees for neglect of horses in his care. Assistant Trainer/Groom is Nilo Pessanha "Waived" his right to counsel in this matter. The Stewards considered all testimony and evidence in this matter.

Prior to the hearing, the Stewards had received complaints from horsemen, outriders, the Safety Steward, private veterinarians, and regulatory veterinarians as to the condition and care of horses under the responsibility of Trainer Ney Pessanha/Assistant Trainer Nilo Pessanha.

After considering all evidence and testimony in this matter, the Stewards have found Nilo Pessanha failed to provide adequate food, water, bedding, sanitation, exercise, and veterinarian care for his horses, and therefore is "Suspended for a term of 99 days (September 24, 2024 to December 31, 2024). During the term of the suspension, Nilo Pessanha is "Denied" access to all grounds under the jurisdiction of the Delaware Thoroughbred Racing Commission.

Pursuant to DTRC Rule 7.6

Assistant Trainer: A registered Owner or registered Trainer may employ an Assistant Trainer. Such Assistant Trainer must obtain an authorization from the Commission before acting in such capacity on behalf of his employer. Qualifications for obtaining an Assistant Trainer's authorization shall be prescribed by the Stewards. An authorized Assistant Trainer shall assume the same duties and responsibilities as imposed on a registered Trainer. The registered Trainer shall be jointly responsible with his Assistant Trainer for all acts and omissions of such Assistant Trainer involving a racing matter.



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In addition, Nilo Pessanha will be not eligible to apply for a Delaware license in any capacity until January 1, 2030. Before consideration of a DTRC Assistant Trainer license, Nilo Pessanha must pass the DTRC Assistant Trainer test.

Nilo Pessanha may apply for a review and appeal to the Commission under DTRC rules 19.2 Review and Appeal and 19.3 Application for Review.

Failure to pay the assessed fine by the due date may result in a suspension of license. Monetary fines not paid within the parameters of the official ruling are subject to penalty and interest charges at the rate of 1.5% per month compounded monthly.

Amendment A: September 24, 2024

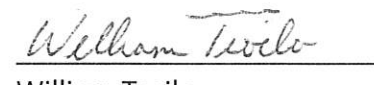
Assistant Trainer/Groom Nilo Pessanha, having filed an appeal and asking for a stay concerning his suspension of 99 days and a five-year period of ineligibility to apply for a Delaware license, is hereby granted a stay of his Stewards Ruling 116-2024 until such time as a decision is made by the Delaware Thoroughbred Racing Commission. Refer to DTRC Rules 3.4, 19.2.1, 19.2.2. all.

Amendment B: October 24, 2024

Assistant Trainer/Groom Nilo Pessanha was duly noticed and "failed to appear" before the Delaware Thoroughbred Racing Commission appeal hearing on October 24, 2024. The Appeal has been "Dismissed". Assistant Trainer Nilo Pessanha is here by "Suspended" for a period of one 99 days (October 25, 2024 to January 31, 2025). In addition, Nilo Pessanha will not be eligible to apply for a Delaware license in any capacity until January 1, 2030. Before consideration of a DTRC Assistant Trainer license, Nilo Pessanha must pass the DTRC Assistant Trainer test.


Joelyn Rigione


Robert Colton


William Troilo