

August 4, 2022

Via email

Jonathan L. Adams, District Attorney
Towaliga Judicial Circuit
jadams@pacga.org

Sheriff Brad White
Lamar County Sheriff's Office
bwhite@lamarcountysheriff.com

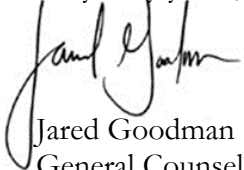
Dear Mr. Adams and Sheriff White:

I am counsel to People for the Ethical Treatment of Animals (PETA) and I am writing to respectfully request that your offices investigate and seek prosecution of flagrant illegal conduct documented at Rancho El Centenario, an unlicensed horse racing track located at Liberty Hill Ranch in Milner, Ga., run by owner [REDACTED].

As thoroughly detailed in the enclosed materials, from June 2021 to April 2022, [PETA conducted an investigation of Rancho El Centenario](#). Among other illegality, investigators observed and documented systemic and repeated animal abuse, including whipping, electric-shocking, and drugging horses to push them past their natural limits, leading several horses to break down and be killed on the track, as well as extensive commercial gambling on every race. Specifically, this conduct appears to violate—at a minimum—Georgia's prohibitions on cruelty to horses and other animals, Ga. Code §§ 4-13-3, 16-12-4(b); using unapproved methods of carcass disposal, *id.* § 4-5-5; gambling, *id.* 16-12-21; commercial gambling, *id.* § 16-12-22(b); advertising commercial gambling, *id.* § 16-12-26; communicating betting information, *id.* § 16-12-28; maintaining a gambling place, *id.* § 16-12-23; possessing controlled substances, *id.* § 16-13-30; possessing paraphernalia used to administer controlled substances, *id.* § 16-13-32.2; abandoning controlled substances in a public place, *id.* § 16-13-3; and importing animals without appropriate documents or testing, *id.* § 4-11-11. This conduct further evinces a public nuisance, *id.* § 41-1-1, and racketeering, as several of these violations constitute predicate acts, *id.* § 16-14-4.

PETA is prepared to assist your offices in any way possible in furtherance of this investigation, including by providing additional video and other documentary evidence, and we welcome the opportunity to meet with you. Thank you for your attention to this matter.

Very truly yours,



Jared Goodman
General Counsel, Animal Law
(323) 210-2266 | JaredG@petaf.org
Enclosures

Cc: Mr. Vic Reynolds, Director, GBI, vic.reynolds@gbi.ga.gov
Mr. John Fowler, Deputy Attorney General of the Prosecution Division, Office of the Attorney General, jfowler@law.ga.gov

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS
FOUNDATION

Washington
1536 16th St. N.W.
Washington, DC 20036
202-483-PETA

Los Angeles
2154 W. Sunset Blvd.
Los Angeles, CA 90026
323-644-PETA

Norfolk
501 Front St.
Norfolk, VA 23510
757-622-PETA

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APPENDIX

1. Factual Background

Liberty Hill Ranch is a long-operating farm located at 251 High Falls Park Rd., Milner, Ga. 30257. In 2012, ██████████ took over management of the farm. In 2013, ██████████ organized Rancho El Centenario LLC, and he built a horse racing track on the property the following year. In addition to advertising Rancho El Centenario generally on his website,² ██████████ has indicated his personal involvement in the race events that occur on the property. In a video posted to Facebook in August 2021, ██████████ announces: “Hey! This is ██████████ out at Rancho El Centenario. We’re working making the place even better for this weekend’s event. I’m here with my brother, ██████████, my main man, my partner, #1. He’s going to be out here with us making the best events in all of Georgia for years and years to come.... Come enjoy your second home at Rancho El Centenario.”³

From June 2021 to April 2022, PETA investigators attended eight advertised quarter horse race events at Rancho El Centenario. What follows is a detailed description of some of the systemic animal abuse and gambling activity documented in connection with every race, as well as the illicit controlled substance use observed, disposal of dead horses discovered, and apparent import of horses without requisite testing or documentation. Virtually all race teams (also known as “Cuadras” and commonly abbreviated as “C.”) engaged in this conduct, and the perpetrators of the offenses were brazen: During at least three of the events, Lamar County Sheriff’s Office personnel—who we trust were unaware of the unlawful conduct occurring—were stationed at the facility.

2. Cruelty to Horses and Related Offenses

2.1. Cruelty to Animals

The cruelty to animals law broadly prohibits causing “physical pain, suffering, or death to an animal by any unjustifiable act or omission.” Ga. Code § 16-12-4(b)(1). A violation of this prohibition is a misdemeanor. *Id.* § 16-12-4(c). “[M]alice and intent are not elements of the offense of cruelty to animals.” *Cotton v. State*, 589 S.E.2d 610, 612 (Ga. Ct. App. 2003) (citations omitted).

The offense of aggravated cruelty to animals includes maliciously administering poison to an animal, *id.* § 16-12-4(d)(4), a felony punishable by up to five years’ imprisonment and \$15,000 for a first offense, *id.* § 16-12-4(e). As used in this prohibition, malice means an intent “to cause the particular harm produced without justification or excuse,” or the “wanton and willful doing of an act with an awareness of a plain and strong likelihood that a particular harm may result.” *Id.* § 16-12-4(a)(2).

The Humane Care for Equines Act provides additional protections and remedies for cruelty to horses. The law prohibits anyone who owns, possesses, or has custody or charge over an equine from committing an act of cruelty to animals, Ga. Code § 4-13-3(1), failing to provide an equine with humane care, *id.* § 4-13-3(3), and unnecessarily overloading, overdriving, tormenting, beating, or causing the cruel or inhumane death of an equine, *id.* § 4-13-3(4). A violation of this statute is a

¹ On September 22, 2006, a Lamar County jury convicted ██████████ of felony and misdemeanor counts of theft by receiving stolen property, after which he voluntarily surrendered his law license. ██████████

² Liberty Hill Ranch, Racing, ██████████

³ Rancho El Centenario, Facebook (Aug. 25, 2021), ██████████

misdeemeanor, *id.* § 4-13-10, and provides law enforcement with the authority to impound any equine who has been treated in violation of this statute, *id.* § 4-13-4.

PETA's investigation of Rancho El Centenario revealed systemic and repeated animal abuse, including electric-shocking, whipping, and drugging horses to push them past their natural limits, leading several horses to break down and be killed on the track.

First, jockeys at Rancho El Centenario use shocking devices to push the horses past their natural limits. PETA's investigators documented *many* instances of jockeys with shocking devices taped to their wrists or held in their hands. By way of example only, on June 19, 2021, jockey [REDACTED] was seen with these devices when racing El Cardenal for Cuadra La Noria. The same day, jockey [REDACTED] was seen with them when racing El Paletas for Cuadra Tarasco/Araña. On February 27, 2022, jockey [REDACTED] was seen with shocking devices when riding Trump My Record of Cuadra Cristo Rey. On April 10, 2022, jockey [REDACTED] appeared to have shock devices taped to his wrists while racing for Rancho El Diamante,⁴ while [REDACTED] was again seen with a device on the track with El Ferrari for Cuadra Cristo Rey.⁵ An investigation by your office would reveal several jockeys with shocking devices on any given race day.

Shocking devices have long been prohibited in licensed horse racing because of their obvious cruelty, "and since 1974 there have been nearly 300 instances in which racing commissions have investigated and taken action against jockeys, trainers, grooms or escort riders for infractions involving the devices."⁶ A leading horse racing veterinarian described these devices as "cruel, medieval measures that had no place in racing, ever, and certainly not in 2019," when animal welfare must be considered.⁷

Second, the excessive and repeated whipping of horses in apparent violation of the law is standard practice at Rancho El Centenario. This includes not only jockeys whipping horses during races, but also jockeys and gate handlers whipping them behind and inside the starting gate. On just two dates—June 19, 2021, and February 27, 2022—for example, PETA's investigator documented:

- Jockey [REDACTED] whipping a horse named Chance from Cuadra Gold Mouth over and over again, apparently at least 16 times in a 200-yard race.
- Trainer and jockey [REDACTED] whipping a horse named El Jardinero from Cuadra El Jarocho at least 20 times in a 250-yard race, and striking a horse from Cuadra San Isidro behind the starting gate in advance of another race.
- Jockey [REDACTED] whipping a horse from Cuadra Nuevo Imperio about 24 times during a 250-yard race, and another horse over 30 times in a 400-yard race.

⁴ See, e.g., Carriles De Georgia, Facebook, (Apr. 10, 2022), https://www.facebook.com/permalink.php?story_fbid=1432375530536608&id=261735500933956.

⁵ Carriles De Georgia, Facebook (Apr. 11, 2022), <https://www.facebook.com/Carriles-De-Georgia-261735500933956/photos/pcb.1432968087144019/1432967570477404>.

⁶ Joe Drape, *Seamy Side of a Sport: Prodding Horses With Shocks*, N.Y. TIMES (Mar. 27, 2014), <https://www.nytimes.com/2014/03/28/sports/new-light-on-seamy-role-of-buzzers-in-horse-racing.html>

⁷ Patrick Bartley, *Alleged Use of 'Cruel, Medieval' Devices Threatens Future of Victorian Racing, Says Horse Vet*, THE GUARDIAN (Jan. 31, 2019), <https://www.theguardian.com/sport/2019/feb/01/alleged-use-of-cruel-medieval-devices-threaten-future-of-victorian-racing-says-horse-vet>

- Jockey [REDACTED] whipping a horse from Cuadra Tarasco/Araña at least 20 times during a 350-yard race, and striking a horse behind the starting gate in advance of another race.
- Jockey [REDACTED] and trainer [REDACTED] repeatedly whipping a horse from Cuadra La Herradura, including in the head, at the starting gate.
- Jockey [REDACTED] whipping a horse named El Calentano from Cuadra Cristo Rey continuously in a race.
- Gate handlers for Cuadra Tarasco/Araña, Cuadra Nuevo Imperio, Cuadra Chihuahua, Cuadra El Puma, and Cuadra Refugio stationed behind the starting gate, whipping horses from behind as the gates open. One Cuadra Refugio handler held up the horse's tail, presumably to expose the sensitive anus, while the man stationed with the whip apparently directed the handler to move the tail further out of the way.

This abuse is commonplace, as PETA's investigators documented similar incidents as recently as March 2022—jockey [REDACTED] whipping a horse for Cuadra El Puma—as well as older online videos, including one that shows a horse associated with Cuadra Gold Mouth being whipped repeatedly from behind to force him into the starting gate.⁸

Whipping horses causes them pain. A recent study revealed no significant difference between humans and horses in the concentration of nerve endings in the outer layers of their skin, nor any difference in thickness of the skin layer,⁹ leading researchers to conclude that “horses are likely to feel as much pain as humans would when being whipped.”¹⁰ The International Society for Equitation Science, an entity that exists for the purpose of advancing “equestrian practice,” acknowledges that “[w]hipping tired horses, such as is commonly seen in horse racing is of welfare concern and should be actively discouraged.”¹¹ It further advises against “[e]xcessive or incorrect use of any aversive stimulus on any horse, including the whipping of horses to improve their position in a race field.”¹² In addition to the immediate pain that whipping causes, whip use has been associated with catastrophic fractures, likely from pushing tired or injured horses beyond their physical limits.¹³ The state's cruelty to animals laws do not exempt from their prohibitions horses used for racing, and this excessive whipping would even violate racing commission rules in those states that do regulate and allow for the use of whips during races. If it were not already evident, this whipping is also unjustifiable. In fact, a study of stewards' reports from races in which horses were whipped and those in which they were not revealed no statistically significant differences between the number of reports of horses' movement on course, interference on course, incidents related to jockey behavior, or race finishing times.¹⁴

⁸ Carriles De Georgia, Facebook (Aug. 26, 2019), <https://www.facebook.com/watch/?v=503337876902340>.

⁹ Lydia Tong et al., *A Comparative Neuro-Histological Assessment of Gluteal Skin Thickness and Cutaneous Nociceptor Distribution in Horses and Humans* 10(11) ANIMALS 2094 (2020).

¹⁰ Loren Smith, *First Conclusive Evidence Horses Hurt by Whips, Whips Don't Aid Jockeys*, U. of Sydney (Nov. 12, 2020), <https://www.sydney.edu.au/news-opinion/news/2020/11/12/first-conclusive-evidence-horses-hurt-by-whips--whips-don-t-aid-.html>

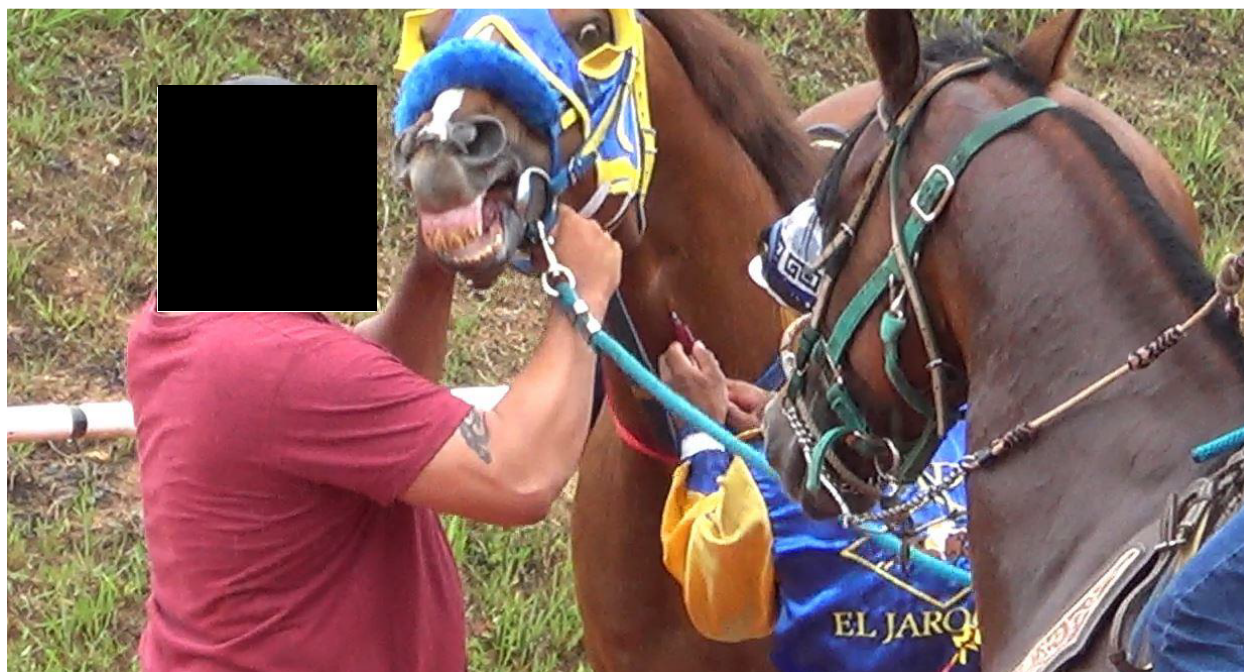
¹¹ Int'l Soc'y for Equitation Sci., Position Statement on Aversive Stimuli in Horse Training (2018), https://equitationscience.com/file_download/208/ISES_PositionStatement_Aversive_Stimuli_2013_2018.pdf.

¹² *Id.*

¹³ Tim D.H. Parkin et al., *Analysis of Horse Race Videos to Identify Intra-race Risk Factors for Fatal Distal Limb Fracture*, 74 PREVENTIVE VETERINARY MED. 44 (2006); Gina L. Pinchbeck et al., *Whip Use and Race Progress Are Associated with Horse Falls in Hurdle and Steeplechase Racing in the UK*, 36(5) EQUINE VETERINARY J. 384 (2004).

¹⁴ Kirrilly Thompson et al., *Is Whip Use Essential to Thoroughbred Racing Integrity? What Stewards' Reports Reveal About Fairness to Punters, Jockeys and Horses*, 10 ANIMALS 1985 (2020).

Third, PETA investigators documented horses injected with syringes prior to a race at Rancho El Centenario on at least *twenty-five* separate occasions. They were injected in the neck, sometimes with a red liquid, sometimes a clear liquid:



This was not specific to a particular racing team, as the horses injected included those associated with Cuadras Cash, Cristo Rey, Dos Trebol, La Espuela, Esquipulas, La Herradura, El Jarocho, La Mundial, La Noria, Nuevo Imperio, Los Primos, San Juan, W3 Farmz, and Potosinos. As discussed further in Section 4 below, tests on syringes investigators collected at Rancho El Centenario run by an independent accredited laboratory indicated that the substances injected include methamphetamine, methylphenidate, and cocaine. It is well-established that cocaine and amphetamines have long been administered to horses in this seedy industry to improve their performance.¹⁵ The drugging at this track unquestionably pre-dated PETA's investigation.¹⁶ Indeed, Sgt. Thompson of the Lamar County Sheriff's Office wrote that on June 23, 2019, during a stop less than two miles from Liberty Hill Ranch:

I noticed several big boxes in the backseat and asked him what those where [sic] and he informed me that they where [sic] vitamins for the horses. Based on my training and experience I know that some horse racers use illegal substances in there [sic] horses to make them faster.... I conducted a probable cause search of the vehicle and located in the backseat in boxes I located several banded [sic] controlled

¹⁵ See Thoroughbred Daily News, A History of Drugs in Racing (2013), <https://www.thoroughbreddailynews.com/pdf/magazine/Magazine-Drugs%20in%20Racing-Part%20I.pdf>; see also, e.g., *Cocaine in Horses is a Losing Bet*, CHICAGO TRIBUNE (Feb. 15, 2005), <https://www.chicagotribune.com/news/ct-xpm-2005-02-16-0502160251-story.html>; Kenneth H. McKeever et al., *Effects of Cocaine on Incremental Treadmill Exercise in Horses*, 75(6) J. APPLIED PHYSIOLOGY 2727 (1985) (finding a significant increase in time to exhaustion).

¹⁶ Caballos Y Gallos, Facebook (Oct. 5, 2020), <https://www.facebook.com/photo/?fbid=114941873706341&set=pcb.114942387039623> (rider leading La Media Hermana before the 'La Reina De Las 50-Y' race has a syringe containing red liquid tucked into his baseball cap).

substances and anabolic steroids. [The driver] was placed under arrest and his vehicle was towed from the scene by Mitch's towing.

The drugging also continues as an open secret. In livestream videos of races that occurred on May 8, 2022, race teams are seen stopping horses who are trotting down the track to the starting gate, raising their arms to the same area of the horses' necks where investigators observed the injections occurring, and the horses reacting in the same manner—even where the cameraperson pans away in an obvious attempt not to capture the injection itself.¹⁷ As with whipping, it is well established that drugging horses used for racing increases their risk of catastrophic injury and death.¹⁸

As expected due to the whipping, shocking, and drugging, PETA's investigation revealed several catastrophic injuries resulting in the horses' deaths. On March 20, 2022, PETA's investigator observed a horse from Cuadra Santa Maria, El Nacho Prieto, break down on the track. El Nacho Prieto ran past the finish line, fell hard, and rolled over twice. The horse then stood, stumbled, and fell again because he could not stand on the broken front leg he sustained during the race. The horse was then shot in the head and his body dragged down the track by the rear legs with a tractor. Another horse during the same race, El Borrego from Cuadra Rancho El Diamante, also died after the race, reportedly from a heart attack. On May 22, horse El H, also from Cuadra Santa Maria, was reported dead¹⁹ just minutes after winning a race,²⁰ and photos taken immediately after the race appear to show blood from an injection site streaming down the right side of his neck:²¹

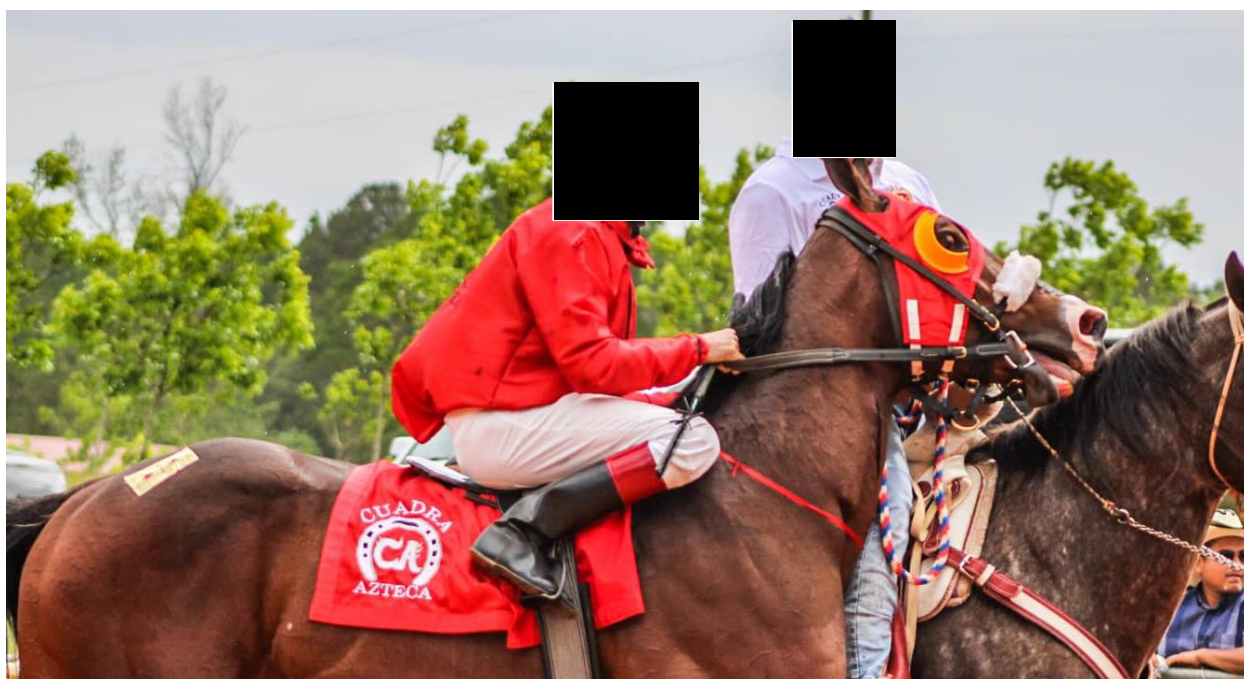
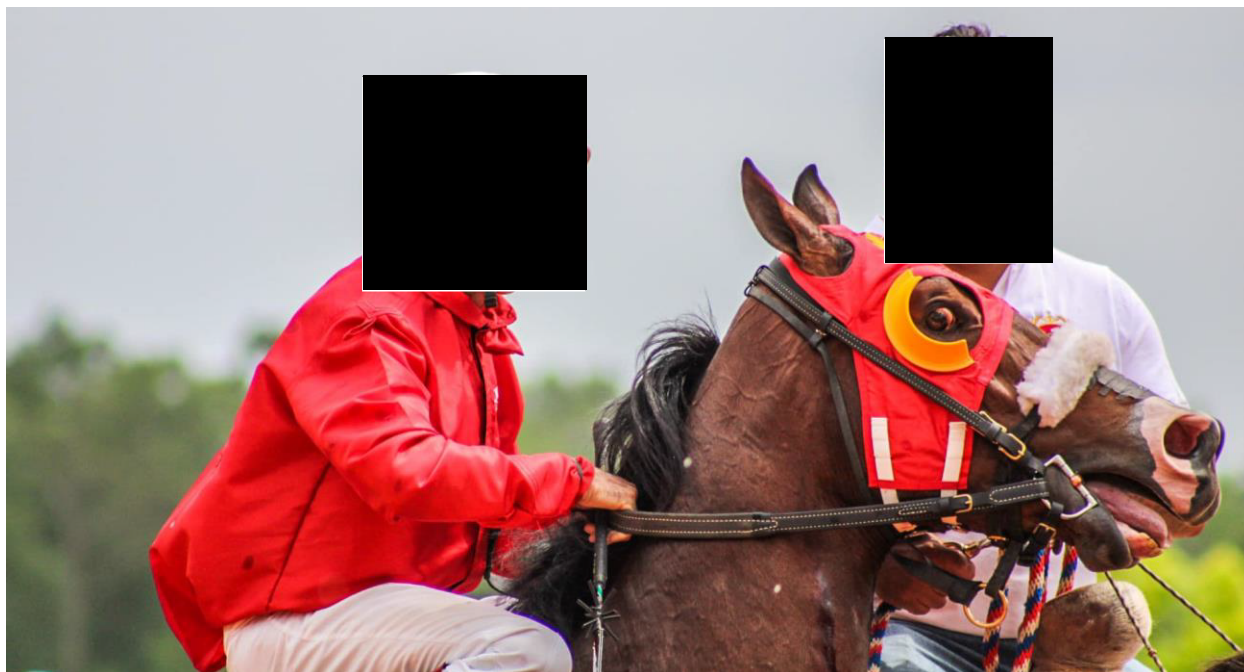
¹⁷ See, e.g., Carriles De Georgia, El Mutante vs. El Pirata 350Y C Mundial C Nuevo Imperio, Facebook (May 8, 2022), https://www.facebook.com/watch/live/?ref=watch_permalink&v=3133984706813395 (horse El Pirata with C. Nuevo Imperio apparently injected at 2:27); Carriles De Georgia, El Payaso vs. Caletano 100Y C Daimante Cristo Rey, Facebook (May 8, 2022), https://www.facebook.com/watch/live/?ref=watch_permalink&v=1285457758645558 (horse El Calentano with C. Cristo Rey apparently injected at :46); Carriles De Georgia, Tapados 150Y C Cash vs. C Siete D Oros, Facebook (May 8, 2022), <https://www.facebook.com/261735500933956/videos/529152362098564> (horse La Chiquibaby with C. Cash apparently injected at 3:47); Carriles De Georgia, La Tequilera vs. La Tapatia 350Y C Nuevo Imperio. C San Juan, Facebook (May 8, 2022), <https://www.facebook.com/261735500933956/videos/3107011319511531> (horse La Tequilera with C. Nuevo Imperio apparently injected at 3:34).

¹⁸ See, e.g., Alyssa A. Logan & Brian D. Nielsen, *Training Young Horses: The Science Behind the Benefits*, 11(2) ANIMALS 463 (2021) ("Thoroughbreds and Quarter Horses that died as a result of race training had five times greater odds of having hyaluronic acid injections compared to animals that had not died during race training"); Joe Drape & Corina Knoll, *Why So Many Horses Have Died at Santa Anita*, N.Y. TIMES (June 26, 2019), <https://www.nytimes.com/2019/06/26/sports/santa-anita-horse-deaths.html> ("The track tolerated trainers who had been cited for using performance-affecting drugs, records showed. Experts have long considered drugs a leading cause of horse deaths. Not only do they dull pain and mask injuries, letting at-risk horses run when they should not, but they make horses unnaturally stronger and faster, increasing stress on their limbs.").

¹⁹ Carreras 1\4 De Milla Nacionales, Facebook (May 22, 2022), <https://www.facebook.com/CarrerasCuartoDMillaNacionales/posts/pfbid02hUkSaYzAutMjKjAFtHZZ4Z7aPQ5aapRkz8QuF2B3gmkuu2md1XwHe2dXExL6Pqffl>.

²⁰ Carriles De Georgia, Facebook (May 22, 2022), <https://www.facebook.com/261735500933956/photos/a.295194407588065/1462121087562052/?type=3&source=57>.

²¹ Muñoz Photography, Facebook (May 22, 2022), https://www.facebook.com/permalink.php?story_fbid=pfbid0sGrwQ41wirM6RmB4oeMuJgC6XrcRspu3FDs2mgBqA5C3V2Ebd6QYHen1A849844Cl&id=101887492503104.



These deaths are common, as further research reveals that since 2018, *at least twelve* other horses were injured during races at this track and then killed as a result, or were reported dead shortly after races:

- May 9, 2021: El Dragón, Cuadra Esquipulas. El Dragón was reported dead on the day of the Gran Final Guerrero Azteca 400-yard race.²²

²² Carriles De Georgia, Facebook (May 9, 2021), https://www.facebook.com/permalink.php?story_fbid=pfbid0276bAY1UQdQXzsspyLkWzPvWHusYYRnMmdHSQtoHTTyKGEvgjodaAVFT3wRxSBk3Rl&id=261735500933956.

- March 21, 2021: El Muletas, Cuadra Akiles. In this five-horse race, El Muletas falls hard and rolls over many times on the track. The jockey, Roman Chapa, also incurred serious injuries and later died as a result.²³
- March 21, 2021: El Chulo, Cuadra Rancho El Diamante. El Chulo pulled up with an apparent injury to his front left leg during a race.²⁴
- February 7, 2021: El Papi Chulo, Cuadra Cristo Rey, Trainer [REDACTED]. El Papi Chulo broke down just outside the gate in a 200-yard race against El As De Oro of Cuadra San Juan,²⁵ and was later euthanized.²⁶
- January 17, 2021: El Conquistador, Cuadra La Herradura, Trainers [REDACTED]. El Conquistador broke down just outside the gate against El Primo of Cuadra Los Primos in a 350-yard race.²⁷ He then died or was euthanized.²⁸
- January 17, 2021: El Bambino, Cuadra Cristo Rey, Jockey [REDACTED], Trainer [REDACTED]. Four-year-old El Bambino died when being brought to the stable after beating El Embajador of Cuadro Rancho El Diamante in a 400-yard race.²⁹
- July 12, 2020: El Granito De Oro, Cuadra Cristo Rey, Trainer [REDACTED]. In this six-horse race, El Granito De Oro falls hard and then stumbles to the ground with one or more broken legs.³⁰
- July 12, 2020: El Nachito Coronel, Cuadra Rancho El Diamante. In this six-horse race, El Nachito Coronel collapses to the ground and then limps on the track.³¹
- November 24, 2019: La Diosa, Cuadra Los Primos, Trainer [REDACTED]. In this two-horse race, La Diosa collapsed and rolled over jockey [REDACTED]. La Diosa was killed, and [REDACTED] hospitalized with serious injuries.³²

²³ Yassir Carreras de caballo, Él pegaso cuadra los michoacanos gana abierta 250 yd 2. el caporal. 3. El BB. 4. Jarochos. Muletas, YouTube (Mar. 24, 2021), <https://www.youtube.com/watch?v=q3NK-nqFJ3s>.

²⁴ Yassir Carreras de caballo, El fresa cuadra cristo rey le gana al chulo cuadra rancho el diamante ... r.i.p chulo, YouTube (Mar. 24, 2021), <https://www.youtube.com/watch?v=maMJe0W462w>.

²⁵ Pasión Carrilera Ga, Papi Chulo Vs As De Oros, Facebook (Feb. 7, 2021), https://www.facebook.com/watch/live/?ref=watch_permalink&v=909680363128863.

²⁶ Somos Carrereros, Facebook (Feb. 7, 2021), <https://www.facebook.com/somoscarrereros/posts/pfbid02Zj9PVhDFgY67NdUymjfsnLU2pyjoxkiS3edYkcjbuRys4Pjc2JHiB8rGg5VMyeel>.

²⁷ Yassir Carreras de caballo, El primo cuadra los primos le gana al conquistador cuadra herradura ay claro, YouTube (Jan. 17, 2021), <https://www.youtube.com/watch?v=Br5GcydypRs>.

²⁸ Carriles De Georgia, Facebook (Jan. 22, 2021), https://www.facebook.com/permalink.php?story_fbid=pfbid02sJjKvZn56qFf3v2byVx85kuwNQTWcPgTUmZoMghZsJH3GfyEVMsCcRzYcjYcmP6Tl&id=261735500933956.

²⁹ Caballos_Con_Poder, Facebook (Jan. 18, 2021), https://www.facebook.com/permalink.php?story_fbid=pfbid02wyuAJG4fvURGVmpbaobcTdzBP7X1LLeDQuj8f1G2zEAhuE5bikAdzh8mnUE1WQbkl&id=1391958907612254.

³⁰ Carriles De Georgia, Facebook (July 11, 2020), https://www.facebook.com/permalink.php?story_fbid=980990252341807&id=261735500933956 (providing information on the race); Gonzalo González (@gonzalo1630), Tiktok (July 13, 2020), <https://www.tiktok.com/@gonzalo1630/video/6849139516435926277?> (video of breakdown)

³¹ Yassir Carreras de caballo, El Nachito coronel cuadra diamante R.I.P le gana al granito de oro R.I.P y el conquistador y el 11, YouTube (July 17, 2020), https://www.youtube.com/watch?v=_UKS6sCnC8E; Cuadra rancho el diamante, Nachito Coronel, Facebook, (Sept. 2, 2020), <https://www.facebook.com/577599002716633/videos/934151397105504/>.

³² Lai, Accidente del jockey cubano el niño de oro en Georgia, YouTube (Dec. 23, 2019), <https://www.youtube.com/watch?v=sNFWbWRM9X0> (video of race); Osdany Leal / El Niño Accident, GoFundMe, <https://www.gofundme.com/f/osdany-leal-el-ninito-accident> (last visited Apr. 28, 2022).

- March 9, 2019: El Borrego, Cuadra San Juan. During this race, another horse called El Borrego falls towards the beginning of a race against El Italiano of Cuadra Los Michoacanos.³³
- October 28, 2018: El General, Cuadra Los Michoacanos, Jockey [REDACTED]. In this six-horse race, El General was bumped towards the beginning of the race and did not fall,³⁴ but was reported dead later that day.³⁵
- October 28, 2018: El Vitaminas, Cuadra Buena Vista. El Vitaminas was reported dead after the Rey De Reyes 400-yard race.³⁶

Accordingly, physically abusing horses by whipping, shocking, and drugging them for the purpose of pushing them beyond their physical limits violates the Humane Care for Equines Act's prohibition on overdriving, Ga. Code § 4-13-3(4), as well as demonstrates a failure to provide the horses with humane care, *id.* § 4-13-3(3), and committing cruelty to them by causing them unjustifiable pain in violation of the cruelty to animals law, *id.* §§ 4-13-3(1), 16-12-4(b)(1). Pushing horses to their deaths further violates the prohibition on causing their cruel or inhumane death, *id.* § 4-13-3(4). Those responsible for this cruelty includes the trainers, jockeys, and gate handlers who committed and authorized the incidents of abuse, as well as [REDACTED], who hosts this cruelty. *See Favors v. State*, 756 S.E.2d 612, 614 (Ga. Ct. App. 2014) (finding sufficient evidence to support conviction of property owner who enabled dogfights).

2.2. *Improper Disposal of Dead Horse(s)*

Georgia law specifies that only “burning, incineration, burial, rendering, or any method using appropriate disposal technology which has been approved by the Commissioner of Agriculture” are permitted for the disposal of dead animals. Ga. Code § 4-5-5. Disposal in accordance with this section must be done within 24 hours after the animal's death. *Id.* A violation of this provision is a misdemeanor. *Id.* § 4-5-11.

On August 30, 2021, PETA's investigator discovered a dead and decomposing horse, lying just feet from the track at Rancho El Centenario:

³³ Yasir Carreras de caballo, El Italiano vs el borrego revancha gano el Italiano, YouTube (Mar. 9, 2019), <https://www.youtube.com/watch?v=YbF-LNGzWvU>; Martin Jasso, Accidente del borrego en rancho el centenario, YouTube (Mar. 15, 2019), https://www.youtube.com/watch?v=IRh7x_D6LaM.

³⁴ Carreras/Caballos G1, El Cobrita-Campeon De Campeones Atlanta GA, 2018, YouTube (Jan. 21, 2021), <https://www.youtube.com/watch?v=-WZu3A1Vh4A>.

³⁵ Pantera Promotions, Facebook (Oct. 29, 2018), <https://www.facebook.com/puralumbrecarrerera/posts/pfbid0ge4Dog6yKVwxo6Td8fqJNEpWD85xy9UxGU57YF2ro6Vc3BSTXCvrPkX1hpuroMVql>.

³⁶ Carriles De Georgia, Facebook (Oct. 29, 2018), https://www.facebook.com/permalink.php?story_fbid=pfbid02dGaAbZM2pcmVNQYuiBfjaecnKYJXZ34KuKdea7i5xk1CwTtWMMU6anj9YvqITnmZl&id=261735500933956/.



As the property owner and occupant, [REDACTED] would appropriately be held accountable for failing to dispose of the deceased horse in the manner required by statute, as well as any other individual(s) responsible for this conduct.

2.3. Illegal Imports

It is “unlawful for any person to ship or import any equines ... into this state unless accompanied by an official interstate or international certificate of veterinary inspection.” Ga. Code § 4-11-11. Specifically, all equines entering the state “must be accompanied by an official Certificate of Veterinary Inspection [(CVI)], shall originate from a premise free of any contagious or infectious disease, and shall not have been exposed to any contagious or infectious disease prior to or during shipment.” Ga. Comp. R. & Regs. 40-13-13-.06(6). They also must have an official negative test for test for equine infectious anemia within one year prior to entry, with the test date, results, laboratory, and accession numbers recorded on the CVI. *Id.* 40-13-13-.06(7). A Georgia Department of Agriculture representative confirmed that not only must this documentation accompany the horse being transported into the state, but the veterinarian who issues the CVI must also send a copy to the agency.

Despite many of the race teams bringing in horses from out-of-state, a public records request to the Georgia Department of Agriculture reveals that no CVIs appear to have been submitted to the agency for any horse being imported for racing at Rancho El Centenario during the time of PETA’s investigation. Specifically, race teams from out-of-state that participated in events at the facility include, but are not limited to, Cuadra China Nuevo León (Florida), Cuadra Los Primos (Florida), Cuadra Tarasco/Araña (Illinois), Cuadra El Refugio (Texas), Cuadra Buenavista (Tennessee), Cuadra Los Compadres (Tennessee), Cuadra Potosinos (Tennessee), Cuadra El Navegante (Tennessee), Cuadra Espuela (Alabama), Cuadra Santa Maria (Virginia), and Cuadra Imperio (Virginia). Accordingly, it appears that the many horses these teams entered to race were likely imported into

Georgia in violation of law, their handlers risking a contagious and infectious disease outbreak in the state.

3. Extensive Illegal Gambling

Georgia law prohibits a wide variety of activities associated with gambling. Section 16-12-21 proscribes “the offense of gambling,” which occurs, in relevant part, when one “[m]akes a bet upon the partial or final result of any game or contest or upon the performance of any participant in such game or contest.” Ga. Code § 16-12-21(a)(1). A violation of this provision is a misdemeanor. *Id.* § 16-12-21(b). As used in this and the other relevant gambling statutes, a “bet” is “an agreement that, dependent upon chance even though accompanied by some skill, one stands to win or lose something of value.” *Id.* § 16-12-20(1).

In addition to the prohibition of certain types of bets by individual gamblers, commercial gambling is a felony, punishable by one-to-five years’ imprisonment and a fine of up to \$20,000. *Id.* § 16-12-22(b). “A person commits the offense of commercial gambling when he intentionally does any of the following acts:

- (1) Operates or participates in the earnings of a gambling place;
- (2) Receives, records, or forwards a bet or offer to bet;
- (3) For gain, becomes a custodian of anything of value bet or offered to be bet;...
- (5) Sells chances upon the partial or final result of ... any game or contest or upon the performance of any participant in any game or contest....

Id. § 16-12-22(a). It is similarly unlawful to advertise any scheme for commercial gambling, a high and aggravated misdemeanor, *id.* § 16-12-26; to communicate “information as to bets,” punishable by one-to-five years’ imprisonment and a fine of up to \$5,000, *id.* § 16-12-28; and to permit any property one owns “to be used as a gambling place,” also a high and aggravated misdemeanor, *id.* § 16-12-23. A “gambling place,” is any “property whatsoever, one of the principal uses of which is the making or settling of bets [or] the receiving, holding, recording, or forwarding of bets or offers to bet.” *Id.* § 16-12-20(3).

During PETA’s visits to Rancho El Centenario, investigators learned gambling is a critical aspect of every single race that occurs. They observed and documented the track announcer proclaiming the advantage for each race (match racing’s equivalent of odds), bookies openly soliciting bets, bookies receiving phone calls apparently about gambling, spectators placing and paying for bets, bookies recording those bets in a notebook, and bookies paying out winnings from large stacks of cash. For example:



While there were several individuals acting as bookies, the betting appeared to be orchestrated by [REDACTED] [REDACTED], sometimes referred to as a “quinelera,”³⁷ has even solicited bets for upcoming Rancho El Centenario races on Facebook, requesting payment via Zelle.³⁸ She appears to live in [REDACTED] and to travel to Lamar County for these lucrative events.

The betting observed at Rancho El Centenario was substantial, including spectators placing several-hundred dollar bets. A glance of one bookie’s notebook appeared to indicate bets of \$100, \$300, and \$500. After one bookie shouted, “Voy que ay blanco en la carrera,” indicating that she was taking bets on “blanco” for the race, a woman shouted “Jugan! Mil!”—someone placed a \$1000 bet. These observations were but a snapshot of the extensive gambling that took place on both sides of the track for every race throughout each event investigators attended.

These flagrant gambling activities are plainly illegal. Every individual who has placed a bet on the results of any race at Rancho El Centenario has committed the offense of gambling. *See* Ga. Code § 16-12-21. [REDACTED], her fellow bookies, and any individuals directing their conduct have also committed commercial gambling by receiving, recording, and becoming custodians of money bet on the results of the races, *see id.* § 16-12-22, and unlawfully communicated betting information when soliciting bets, *see id.* § 16-12-28. Cardenas, at a minimum, unlawfully advertised schemes for commercial gambling via her Facebook post(s). *Id.* § 16-12-26. As the owner and operator of Rancho El Centenario, [REDACTED] is also responsible for commercial gambling, *id.* § 16-12-22(a)(1), and permitting his property to be used as a gambling place, *id.* § 16-12-23. *See also Hargrove v. State*, 321

³⁷ [REDACTED]

³⁸ [REDACTED]

S.E.2d 104, 109 (Ga. 1984) (finding property ownership of the location of gambling on dogfights and involvement in staging the fights sufficient to support a commercial gambling conviction).

4. Controlled Substances Used and Discarded

The Georgia Controlled Substances Act generally prohibits the possession, control, and administration of any controlled substance, violation of which is a felony. Ga. Code § 16-13-30. It further prohibits possessing any object used to inject a controlled substance, a misdemeanor, *id.* § 16-13-32.2; abandoning a controlled substance in any public place, also a misdemeanor, *id.* § 16-13-3; and any attempt or conspiracy to commit any such offense, *id.* § 16-13-33. As used in these sections, “controlled substance” means a drug, substance, or immediate precursor listed in the relevant state and federal schedules. *Id.* § 16-13-21(4). This includes cocaine and its derivatives, *id.* § 16-13-26(1)(D), 21 C.F.R. § 1308.12(b)(4); methamphetamine, Ga. Code § 16-13-26(3)(B); 21 C.F.R. § 1308.12(d)(2); and methylphenidate, Ga. Code § 16-13-26(3)(D); 21 C.F.R. § 1308.12(d)(4).

As discussed above, PETA investigators documented horses racing for at least fourteen different teams injected with syringes prior to races at Rancho El Centenario. Notably, on June 19, 2021, investigators witnessed a man later identified as [REDACTED] injecting a horse who was racing for Cuadra La Mundial in the left side of their neck, as [REDACTED], who was on another horse’s back, held the horse’s reins steady for the injection. [REDACTED] then dropped the syringe to the ground, and PETA’s investigator was able to recover it and place it in an evidence bag. At no time after the injection and before the syringe’s recovery did anyone touch or disturb the syringe in any way. The syringe was then handed over to the University of Florida Racing Chemistry Laboratory, which forwarded it to the K.L. Maddy Equine Analytical Chemistry Laboratory at the University California, Davis for testing. The Davis laboratory’s final report revealed that the syringe tested positive for “[c]ocaine and its byproduct benzoylecgonine.”³⁹ Other syringes that were collected from the ground and submitted to the laboratory tested positive for methamphetamine, cocaine, and methylphenidate.

At a minimum, [REDACTED] has violated the state prohibitions on possessing, administering, and abandoning a controlled substance by injecting the horse with a mixture containing cocaine and tossing the syringe to the ground. Ga. Code §§ 16-13-30, 16-13-32.2, 16-13-3. Additionally, any jockey, gate handler, or other representative of Cuadra La Mundial who procured or assisted in administering the drug, including [REDACTED], must be held accountable to the same extent. *Id.* § 16-13-33. We believe that further investigation would reveal that all of the injections observed on the track—such as injections by trainer [REDACTED] of Cuadra La Noria—and that regularly occur involve the same controlled substances, in flagrant violation of state drug laws.

5. Racketeering

The conduct described above also violates the Georgia RICO (Racketeer Influenced and Corrupt Organizations) Act, as several of the aforementioned offenses are predicate acts under the law. Specifically, under the Georgia RICO Act:

- (a) It shall be unlawful for any person, through a pattern of racketeering activity or proceeds derived therefrom, to acquire or maintain, directly or indirectly, any

³⁹ Letter from Benjamin Moeller, K.L. Maddy Equine Analytical Chemistry Laboratory, to [REDACTED], PETA (Sept. 14, 2021) (Ex. 1).

- interest in or control of any enterprise, real property, or personal property of any nature, including money.
- (b) It shall be unlawful for any person employed by or associated with any enterprise to conduct or participate in, directly or indirectly, such enterprise through a pattern of racketeering activity.
 - (c) It shall be unlawful for any person to conspire or endeavor to violate any of the provisions of subsection (a) or (b) of this Code section.

Ga. Code § 16-14-4. For the purposes of this statute, “racketeering activity” is defined to include violations of the Georgia Controlled Substances Act and commercial gambling. *Id.* § 16-14-3(5)(A)(xxxii), (xxxiv); *see also, e.g., Evans v. State*, 314 S.E.2d 421 (Ga. 1984) (affirming RICO conviction based on predicate offenses of commercial gambling). A “pattern of racketeering activity” is “at least two acts of racketeering activity in furtherance of one or more incidents, schemes, or transactions that have the same or similar intents, results, accomplices, victims, or methods of commission or otherwise are interrelated by distinguishing characteristics and are not isolated incidents.” Ga. Code § 16-14-3(4)(A). A violation of the RICO statute is a felony, punishable by 5-20 years’ imprisonment and a fine of up to \$25,000 or three times the pecuniary gain from the violations, whichever is larger. *Id.* § 16-14-5(a).

Here, Rancho El Centenario hosts regular match races throughout the year that involve commercial gambling and improper use of controlled substances. During PETA’s investigation over a period of ten months, they documented the repeated involvement of the same race participants (race teams, jockeys, and horses) and individuals administering the gambling ring and drug injections. At a minimum, [REDACTED] and each individual involved in planning, coordinating, and managing these races for the purpose of enabling and profiting from substantial commercial gambling have participated in the enterprise by engaging in a pattern of racketeering activity. *See id.* § 16-14-4(b), (c). Additionally, the proceeds of this commercial gambling likely serve as a primary source of the organizers’ operating expenses to enable them to conduct additional races. *See id.* § 16-14-4(a).

6. Public Nuisance

Finally, in Georgia, “A nuisance is anything that causes hurt, inconvenience, or damage to another and the fact that the act done may otherwise be lawful shall not keep it from being a nuisance.” Ga. Code § 41-1-1. “A public nuisance is one which damages all persons who come within the sphere of its operation, though it may vary in its effects on individuals.” *Id.* § 41-1-2. “This does not mean that the condition allegedly causing the nuisance must have actually hurt or injured everyone in the area, but it does mean that it must injure those of the public who actually come in contact with it.” *White v. Georgia Power Co.*, 595 S.E.2d 353, 357 (Ga. Ct. App. 2004). “The fact that in the commission of the illegal acts no disorderly conduct is indulged does not prevent such acts from constituting a public nuisance.” *State ex rel. Boykin v. Ball Inv. Co.*, 12 S.E.2d 574, 578 (Ga. 1940).

“Under this definition the maintenance of a gaming house or a gaming place is a public nuisance.” *Gullatt v. State*, 150 S.E. 825, 826 (Ga. 1929). In *Gullatt*, the Supreme Court of Georgia noted, “One who maintains a house for the purpose of betting on a horse race is guilty of keeping a gaming house, although betting on a horse race is not prohibited by statute,” and even if the gambling is conducted in an “orderly manner and the attendance of the best people in the community, male and female.” *Id.* at 827. Accordingly, the Court held that maintaining a place to bet on dog races—no matter how “orderly”—can be properly enjoined as a public nuisance. *Id.* Georgia courts have held consistent with this analysis for more than a century. *See Thornton v. Forehand*, 87 S.E.2d 865 (Ga.

1955) (affirming that evidence restaurant allegedly maintained for purpose of gambling sufficient to state a claim for nuisance); *Forehand v. Moody*, 36 S.E.2d 321, 322 (Ga. 1945) (enjoining theater that operated on Sundays as a public nuisance); *Brindle v. Copeland*, 89 S.E. 332, 333 (Ga. 1916) (affirming that a “lewd house” is a public nuisance); *cf. McArthur v. Beech Haven Baptist Church of Athens*, 864 S.E.2d 189, 193 (Ga. Ct. App. 2021), reconsideration denied (Nov. 15, 2021) (“Nor did the plaintiffs allege that the conduct had ‘appreciable blighting effect on the surrounding community, such as a gambling establishment or unlicensed liquor store.’”).

Accordingly, the maintenance of Rancho El Centenario as a gambling place to wager on the results of horse races is plainly a public nuisance. We strongly encourage your offices to order [REDACTED] to abate this nuisance, such that continuing to operate Rancho El Centenario to facilitate gambling will amount to a misdemeanor, Ga. Code § 41-1-6, and to pursue subsequent charges as appropriate.

Exhibit 1



CALIFORNIA ANIMAL HEALTH & FOOD SAFETY
LABORATORY SYSTEM
P.O. BOX 1770
DAVIS, CALIFORNIA 95617

PHONE: (530) 752-8700
FAX: (530) 752-6253

September 14, 2021

[REDACTED]
501 Front St
Norfolk, VA 23510

SUBJECT: 210729 [REDACTED]

FINAL REPORT

Dear [REDACTED]

As requested, the submitted items were analyzed for prohibited substances. The items were received from the University of Florida Racing Chemistry Laboratory on 7/29/2021 via Fedex tracking #7743 7712 5820.

The items were sealed plastic bags containing the following confiscated materials.

- Bag 1 (6/19/21 collection)
 - a. Item 1: D158732-SSO 5 mL syringe
- Bag 2 (6/20/21 collection)
 - a. Item 1: D158733-SSO 12 ml syringe/needle red cap
 - b. Item 2: D158734-SSO 12 ml syringe/needle green
- Bag 3 cap (6/20/21 collection)
 - a. Item 1: D158735-SSO 12 syringe barrel
 - b. Item 2: D158736-SSO 12 ml syringe barrel
 - c. Item 3: D158737-SSO 12 ml syringe barrel
 - d. Item 4: D158738-SSO 6 ml syringe green barrel
 - e. Item 5: D158739-SSO needle white cap
 - f. Item 6: D158740-SSO needle pink cap
 - g. Item 7: D158741-SSO needle green cap
 - h. Item 8: D158742-SSO needle green cap

As requested, the contents were analyzed for the presence of prohibited substances. A portion of the contents was analyzed by Gas Chromatography - Mass Spectrometry (GC-MS), and Liquid Chromatography - Mass Spectrometry, and Liquid Chromatography - High Resolution Accurate Mass Spectrometry. The results of the analyses are shown below.

- Bag 1
 - a. Item 1: Cocaine and its byproduct benzoylecgonine were detected



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- Bag 2
 - a. Item 1: Cocaine and its byproduct benzoylecgonine were detected
 - b. Item 2: Methylphenidate and its byproduct ritalinic acid were detected
- Bag 3
 - a. Item 1: No prohibited substances detected
 - b. Item 2: No prohibited substances detected
 - c. Item 3: Caffeine and Methylphenidate were detected
 - d. Item 4: Methamphetamine, cocaine and its byproduct benzoylecgonine were detected
 - e. Item 5: No prohibited substances detected
 - f. Item 6: No prohibited substances detected
 - g. Item 7: Methylphenidate and its byproduct ritalinic acid were detected
 - h. Item 8: No prohibited substances detected

Interpretations: The items in Bag 3 were intermixed with a significant amount of dirt and were packaged in the same bag with each other. The presence of external contamination and comingling of items allows for the possibility that the detected compounds may have been present in the environment (dirt) and not present within the submitted items. Additionally, the compounds detected may have been transferred from one item to another as they were comingled.

The submitted evidence will remain in storage at the Kenneth L. Maddy Equine Analytical Chemistry Laboratory for 60 days pending disposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'B Moeller'.

Benjamin Moeller, Ph.D., D.A.B.T.
Assistant Professor
K.L. Maddy Equine Analytical Chemistry Laboratory

AMENDED REPORT

AMENDMENT DOES NOT
AFFECT ANALYTICAL RESULT