

COURT OF APPEALS

JUDGEMENT OF THE COURT OF APPEALS
David Mead vs. SOM COA Ref. No. 20-05-NP
August 20, 2020

FACTS IN BRIEF

Following the Sunday, July 12, 2020, Group 4 race of the Portland Majors at Portland International Raceway, Chief Steward Jeffrey Niess filed a Request for Action (RFA) to investigate multiple contacts between Izzy Sanchez, driver of Touring 4 (T4) #68, and Lance Stewart, driver of T4 #101, in violation of GCR 6.11.1.A. through E.

The Stewards of the Meeting (SOM) Patrick Lundin, Gary Van Horn, and Ken Jones (Chairman) met to hear and rule on the RFA. The SOM ruled that both drivers were in violation of GCR 6.11.1.A. through D. and penalized each driver with a reprimand. Mr. Stewart was notified by U.S. Postal Service mail of the ruling and the penalty imposed.

Mr. David Mead, the Entrant of Car #101, disagreed with the ruling of the SOM and submitted an appeal stating Mr. Sanchez's penalty should be increased and Mr. Stewart's penalty vacated.

DATES OF THE COURT

The Court of Appeals (COA) Tom Campbell, Pat McCammon, and James Averett (Chairman) met on August 13 and 20, 2020, to review, hear, and render a decision on the appeal.

DOCUMENTS AND OTHER EVIDENCE RECEIVED AND REVIEWED

1. Appeal letter from David Mead, received August 3, 2020.
2. Appellant's evidence and video links, received August 7, 2020.
3. RFA and Hearing documentation, received August 7, 2020.
4. A report of hearing details and video links from Chairman SOM Ken Jones, received August 17, 2020.

FINDINGS

Mr. Mead provided videos from two trailing cars with views of the incidents, along with a narrative describing the contacts. He acknowledged the late submission of the appeal and cited delayed receipt of notification, providing a copy of the postmarked envelope as evidence.

The SOM considered in-car videos from Car #68 and Car #49 (a following car) and interviewed both named drivers as well as two other drivers in the race. The SOM also obtained witness statements from F&C workers with views of the incidents.

The COA reviewed all available written and video evidence from the appellant and the Chairman SOM (CSOM), The COA finds Mr. Mead's appeal is timely due to delays in notification, but finds no compelling evidence to change the decision of the SOM. The SOM thoroughly examined the available evidence and reached a responsible decision. The SOM issued penalties within its authority, according to GCR 7.2. (Range of penalties).

DECISION

The COA upholds the SOM decision in its entirety. Mr. Mead's appeal is well founded and his appeal fee, less the administrative portion retained by SCCA, will be returned.