

# ***SOUTH FLORIDA ASA***

(Serving Broward, Martin, Miami-Dade, Monroe, Palm Beach, and St. Lucie Counties)

**5201 S.W. 101<sup>st</sup> Terrace \* Cooper City, FL \* 33328-4949**

## **Ruling on ASA Code Article 505 Hearing**

The complaint filed by (deleted) (Complainant) against Jorge Guzman (Respondent) of 12574 N.W. 7<sup>th</sup> Street, Miami, Florida, 33182, came before *South Florida ASA* Commissioner Moris L. Uhler for hearing on 01/31/2006 at 6:30 pm, and was conducted in the Meeting Room at Brian Piccolo Park located at 9501 Sheridan Street in Cooper City, Florida. Both parties were given notice of the time and place of the hearing and neither had an objection thereto. The respondent's notice was sent via certified mail, restricted delivery (7002 2410 0007 0737 9212). Neither party objected to *South Florida ASA* Commissioner Moris L. Uhler as the one who conducted the hearing. The Complainant was present and was not represented by counsel. The Respondent was not present and was not represented by counsel.

The Complainant alleged Respondent was ejected from the game do to the violation of Rule 10-1-J-3, which is as follows: *The plate umpire and base umpire will have equal authority to – Eject or disqualify a player, coach, manager or other team member from the game for violation of rules or flagrant misconduct.* After the ejection, the Respondent then assaulted the Complainant by throwing the Respondent's glove and ball at Complainant.

The Complainant presented both oral and written statements from (i) (deleted), (ii) (deleted), and (iii) (deleted). The Respondent presented no evidence, arguments, nor witnesses.

Based upon the argument and evidence presented by the parties appearing, *South Florida ASA* Commissioner Moris L. Uhler makes the following findings and orders:

### **THE RESPONDENT COMMITTED THE ACTS COMPLAINED OF AND SUCH ACTS REQUIRE DISQUALIFICATION.** The reasons for the disqualification are as follows:

- (i) The Complainant provided evidence (both oral and written) to substantiate the complaint.
- (ii) The Respondent did not provide any evidence to refute the complaint.
- (iii) The Respondent committed an assault upon the Complainant, an ASA umpire registered with *South Florida ASA* while the Complainant officiated a game within a recreational league registered with *South Florida ASA*.
- (iv) If charges were to be pressed by the Complainant against the Respondent, these charges would be filed under Florida Statute 784.081, which defines aggravated battery on a sports official as a first degree felony.

**IT IS RESOLVED THAT - the disqualification period shall begin on 01/31/2006 and shall be for a period of five (5) years, ending on 01/31/2011.**

**IT IS FURTHER RESOLVED THAT – the Respondent shall not be allowed to participate in any ASA event, whether championship play, recreational play, or as a team manager, coach, and/or sponsor.**

**IT IS FURTHER RESOLVED THAT – if it is determined that the Respondent participated in any of the above, then that team, player(s), and/or sponsor will be disqualified from any ASA event for a period of no less than two (2) years.**

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**AND IT IS FURTHER RESOLVED THAT – if it is determined that the Respondent participated in any of the above during the disqualification period beginning on 01/31/2006 and ending on 01/31/2011, then the Respondent’s disqualification period will become a life-time ban to participate in any ASA event, whether championship play, recreational play, or as a team manager, coach, and/or sponsor.**

Either party may appeal this decision. The appeal must be in writing and should be made to the Executive Director of the *Amateur Softball Association of America* within fourteen (14) days of the date of this ruling.