

**BEFORE THE ARKANSAS STATE ATHLETIC COMMISSION
DEPARTMENT OF LABOR AND LICENSING
STATE OF ARKANSAS**

IN RE: JEREZ V. JEFFERSON BOUT

ORDER

This matter came before the Arkansas State Athletic Commission ("ASAC") on Tuesday, March 8, 2022. The petitioner, Sandra Jerez ("Jerez") seeks a change in the ruling of her mixed martial arts bout against Jamie Jefferson ("Jefferson") which was originally ruled by the referee in favor of Jefferson but was subsequently announced a No-Contest. The Commission ("Agency") was represented by Denise Oxley. Neither Jerez nor Jefferson had legal representation. Donna Lipsmeyer presided over the hearing as the Administrative Law Judge. Jerez and Jefferson appeared before the commission via zoom for the hearing on this matter.

FINDINGS OF FACT:

1. Three witnesses testified on behalf of the department to create a factual background of the event on October 23, 2021.
2. Those witnesses included Lindsay Moore, Program Manager for the Arkansas Department of Labor and Licensing ("ADLL"), John Webb, Chief Inspector of the Arkansas State Athletic Commission, and Rocky Demier ("Demier"), referee of the Jerez – Jefferson bout.
3. Jerez and Jefferson each testified to their rendition of the facts surrounding the fight and outcome. There were assertions from each party concerning certain legal and illegal strikes from Jerez.
4. During the third round, there was a strike from Jerez causing damage to Jefferson that Demier ruled as an accidental foul, as opposed to an intentional foul. Jefferson was allowed to finish the third round even though she sustained serious damage to her eye.
5. One of the issues involving the outcome of the bout concerns the initial decision by Demier to end the fight prior to the opening bell of the fourth round and defer to the judges' scorecards.
6. Jefferson was ruled by Demier as the contest winner by way of the judges' scorecards.
7. Following the announcement, members from Jerez's team protested the decision which led to a subsequent announcement of "No Contest."
8. Demier testified at the hearing that he does not remember who made the "No Contest" announcement, but that it was not his decision to call the "No Contest."
9. The primary issue at hand is the subsequent announcement of "No Contest" made by someone other than the referee, Demier.

CONCLUSIONS OF LAW:

1. The State Athletic Commission shall have the sole discretion, management, control, and jurisdiction over all combative sports matches and exhibitions in this state. Ark. Code Ann. §17-22-204(a)(1)(A).
2. Arkansas Code Annotated §17-22-204 grants ASAC the authority to oversee events and hold hearings in accordance with the Administrative Procedures Act.
3. ASAC Rule 1.12.51 defines "referee" as the person at an Event who is or will be inside the ring or other competition area and is in charge of enforcing these Regulations and the other rules relevant to the bouts or heats during an event.
4. ASAC Rule 5.20.2 states that the referee will be the sole arbiter of a bout and be the only individual, other than the doctor, or a fighter's corner authorized to stop a bout.
5. "No Decision" and "No Contest" mean a combative sports contest or exhibition ending with no decision being rendered by the judge(s) or no scores having been maintained or recorded and no winner or loser otherwise determined by any person. ASAC Rule 1.12.44.
6. "An intentional foul and the bout is allowed to continue, but causes the injured Contestant to be unable to continue at a subsequent point in the bout, the injured Contestant shall win by Technical Decision, if the Contestant is ahead on the Judges' cards at the time of stoppage; the bout shall be declared a Technical Draw, if the injured Contestant is even or behind on the Judges' cards at the time of stoppage." Rule 5.23.5
7. In the present case, Demier ruled the strike from Jerez as an accidental foul in the third round but allowed Jefferson to complete the round. Prior to the opening bell of the fourth round, Demier decided to go to the judges' cards due to Jefferson's vision preventing her from continuing and that three rounds had been completed.
8. The ASAC rules regarding an *accidental* foul do not provide for the scenario here, where the injured contestant continues to fight but is then unable to continue at a subsequent point in the bout. Rule 5.23.5, cited above, governs this scenario but only for a foul that is ruled *intentional*.
9. Regardless of the foul call, the referee is the sole arbiter of the bout and the subsequent "No Contest" announcement was null and void because Demier testified that he did not make that decision or announcement.
10. Based on Demier's testimony, the Commission decides to render the original "No Contest" decision in the ring as null and void.
11. Due to the uncertainty of what could have happened without the initial ruling, and the technical error of the referee, the Commission imposes a new "No Contest" decision for the Jerez-Jefferson bout.

THEREFORE, the Commission rules the original "No Contest" announcement as null and void and now deems the result of the Jerez-Jefferson bout as "No Contest."

IT IS SO ORDERED.

ARKANSAS STATE ATHLETIC COMMISSION

By: 

Bob Edmonds, Chairman

Date: 4-11-22

Approved as to Form:

/s/ Miles Morgan

Miles S. Morgan, 2017-049

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