

## DECISION

Of the Court of Appeal of The United States Auto Club  
02 October 2023

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Appeal lodged by Mr. Raphael Hess RH Race Engineering / ST  
Racing  
Entrant #38

Against the Steward's Decision GT3-06  
Arising from Post Race Technical Inspection  
Sebring International Raceway, Sebring Florida  
24 September 2023

The Court of Appeal Comprised of:

Chair: Mr. Jason Smith, USAC Sr. Vice President of Competition  
Mr. Kevin Blanch - Technical Consultant  
Mr. Levi Jones - Sporting Consultant

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- **Decision Outcome:**  
The court denies the appeal and upholds the Steward's Decision (GT3-06) regarding the penalty for car 38/ST Racing.
- **Regulatory Reference:**  
The decision is not based on the 2023 SRO GT World Challenge Sporting Regulations 18.3, which initially states that protests will not be permitted for scrutineering inspections.
- **Appeal Proceeding:**  
The Appellate court allowed the appeal to proceed based on the FIA International Sporting Code - Article 15.

- **Findings and Submissions:**  
The court reviewed submissions provided by ST Racing but determined that findings driven by team data supplied were uncontrolled by SRO were unofficial and couldn't support the appeal.
- **Technical Violation:**  
Post-race technical inspection found that Car #38 was outside the boost limits outlined in the 2023 SRO Technical Regulations. And Balance of Performance Tables for Sebring by the SRO GT Bureau 08/09/2023
- **Official Measurement Tools:**  
The measurement tools used by the series are considered official, and results derived from their use are considered the only official results as per SRO Regulations.
- **Addendum Disregarded:**  
An addendum provided to the court on October 3, 2023, was deemed irrelevant to the proceeding.
- **Court Recommendations to SRO:**  
The court made recommendations to SRO for consideration:
  - Documenting all communication between Series Officials and teams or manufacturers.
  - Adopting a redundant strategy for critical measurements, especially those involving sensors.
- **Determination Regarding Admissibility:**

The court found that the appeal was admissible, confirming the appellant's standing, timely submission of the appeal form, and timely submission of the appeal fee.

In summary, the court upheld the Steward's Decision based on the technical violation findings and clarified the admissibility of the appeal, while also providing recommendations for future considerations by SRO.

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1) References:

- A. Appeal Form, filed 14:51, 27 September, 2023
- B. Sebring Stewards Decision GT3-06
- C. 2023 Fanatec GT World Challenge America Sporting and Technical Regulations.
- D. Balance of Performance Tables for Sebring by the SRO GT Bureau 08/09/2023
- E. FIA International Sporting Code Article 15
- F. Addendum to the Appeal received 13:01 03 October,, 2023

2. Determination Regarding Admissibility:

The Court found that:

- A. The Appellant has standing to submit the appeal.
- B. That the Appeal Form was lodged in a timely manner.

C. That the Appeal Fee was submitted in a timely manner.

Therefore, the Court finds that the Appeal is admissible.

A handwritten signature in black ink, appearing to read "Jason T. Smith". The signature is fluid and cursive, with the first name "Jason" being the most prominent.

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Signed on behalf of the Court  
Jason T. Smith, Chair