



## WBO WORLD CHAMPIONSHIP COMMITTEE RESOLUTION

The present ruling stems upon a petition filed on behalf of WBO Female Participant Ms. Franchon Crews-Dezurn requesting reinstatement as the official WBO Female Super Middleweight Champion in light of the decision rendered by the *"Texas Commission of Licensing and Regulation" (TLDR)*, overturning the official bout result initially ruled a *"Split Decision"* (SD) in favor of WBO Female Participant Ms. Alejandra Jimenez, to a *"No Decision"* (ND) and the imposition of a suspension on said participant until April 11<sup>th</sup> 2020, as result of the adverse finding regarding usage of the banned substance *"Estanozolol"* as reported by the Voluntary Anti-Doping Agency (*VADA*) as to the collected and analyzed specimens on January 10<sup>th</sup> 2020. Therefore, the petitioner contends that the local boxing commission's ruling is final and firm, and therefore, she should accordingly be deemed WBO Female Super Middleweight Champion.

Whereas, this Committee issued via email the corresponding *"Show Cause"* notice to WBO Female Participant Ms. Jimenez on January 29<sup>th</sup> 2020, through her official promoter, Mr. Pepe Gomez, as to why the WBO should not declare the WBO Female Super Middleweight Title "Vacant" in light of the results reported by *"VADA"* and the numerous violations set forth in our WBO Regulations of World Championship Contests; consequently, said participant was granted a ten (10) day period to address this Committee's order and provide any and all relevant supporting evidence in her defense. Also, said participant was advised that failure to comply with the referenced order would constitute a waiver of any other rights thereto and cause to resolve the matter without further notice and/or hearing.

After the ten (10) day period had elapsed without any submitted evidence on behalf of Ms. Jimenez, on February 7<sup>th</sup> 2020, Ms. Jimenez's Promoter Ms. Gomez confirmed via email receipt of the first *"Show Cause"* notice. Further, on February 13<sup>th</sup> 2020, Ms. Jimenez was notified by this Committee a second communication ratifying the facts of the matter and advising that the *"TLDR"* had overturned the official bout result to a *"No Decision"* (ND) and imposition of a three (3) month suspension. Accordingly, Ms. Jimenez was reminded that the *"TLDR"* had jurisdiction and authority to issue any determination pursuant to its rules and regulations in conjunction with the provisions of the Association of Boxing Commissions (ABC), and that the WBO was obliged to abide and comply with the aforementioned regulatory agencies and their respective determinations. Ms. Jimenez was granted a final five (5) day period upon receipt of the second communication to *"Show Cause"* as per the local boxing commission's ruling.

Having Ms. Jimenez not complied with this Committee's orders, on February 18<sup>th</sup> 2020, we advised said participant that the Committee would resolve and adjudicate the matter accordingly. The following day, January 19<sup>th</sup> 2020, Ms. Jimenez's promoter Mr. Pepe Gomez, informed the Committee that he had talked to WBO President Mr. Valcárcel, Esq., and advised (1) that sample (b) was to be opened during the referenced date (January 19<sup>th</sup> 2020), (2) the *"TLDR"* had issued a ruling without considering the outcome of the (b) sample (3) *"VADA"* had not provided the solicited documentation requested by Team Jimenez, and (4) the WBO would be notified by her legal representation as to the status of an appeals process.



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Conversely, on March 2<sup>nd</sup> 2020, WBO Female Participant Ms. Jimenez filed an email communication whereby asserting that on December 15, 2019, "VADA" performed a first urine and blood sample for anti-doping, which turned out to be negative. Further, on January 10<sup>th</sup> 2020, she was subject to another anti-doping exam, but on this occasion, a urine sample, which tested positive. She further alleges that said result (On January 10<sup>th</sup> 2020), surprised her since she had never consumed any illegal substances during her preparations. Nonetheless, the following day, on January 11<sup>th</sup> 2020, "VADA" performed another blood and urine tests, and the results came back negative. Lastly, she points out numerous issues for consideration, which we have disregarded as they are unsupported by reliable, certified, and relevant evidence as originally requested by this Committee.

On March 9<sup>th</sup> 2020, Ms. Jimenez wrote a second email communication requesting direction as to which course of action should she consider in regard to the corresponding appeal's process with the "TDLR" Commission, and advising that the discovery of the requested documentation by "VADA" was delayed, and therefore, unable to comply with our orders; consequently, she requested an extension and hearing to provide all necessary evidence in support of her innocence. Again, these averments are unsupported as this Committee has not received any documentation or evidence thereto. Also, on March 9<sup>th</sup>, 2020, the WBO main offices acknowledge receipt of email communication on behalf of the "TDLR" Commission director Mr. Greg Alvarez, confirming Ms. Jimenez's suspension and the official bout result changed to a "No Decision" (ND), in light of said participant's adverse finding.

Conversely, on February 21<sup>st</sup> 2020, this Committee confirmed receipt of email communication titled: "**Grievance as to the Outcome of January 11, 2020, Professional Boxing Contest Between Franchon Crews-Dezurn and Alejandra Jimenez for the WBO Female World Championship**" by Mr. Paul S. Haberman, Esq., on behalf of WBO Female Participant Crews-Dezurn. In essence, the petitioner requested nullifying Ms. Jimenez's victory and award the WBO Female Super Middleweight Championship Title to Ms. Crews-Dezurn as result of the adverse finding reported by the Voluntary Anti-Doping Agency (VADA) regarding Ms. Alejandra Jimenez's urine sample taken on January 10<sup>th</sup> 2020. Accordingly, WBO President Valcárcel, Esq., confirmed Mr. Haberman's communication on February 28<sup>th</sup> 2020, and requested filling any evidence whereby the "TLDR" commission's ruling overturning the official bout result and imposition of a suspension on Ms. Jimenez was final and firm. The matter was referred to this Committee for adjudication. Lastly, on March 12<sup>th</sup> 2020, Mr. Haberman, Esq., filed another communication via email with an attached report from the "TLDR" Commission, which stated the official bout result as a "No Decision," and confirming Ms. Jimenez's suspension until April 11<sup>th</sup> 2020.

Whereas, as of today, Monday, March 16<sup>th</sup> 2020, the World Boxing Organization (WBO) has not received any official evidence on behalf of Ms. Jimenez nor her representative in support of her allegations as ordered by this Committee, and therefore, we must resolve and adjudicate the matter accordingly.



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Wherefore, in light of the foregoing, and having this Committee reviewed the WBO Regulations of World Championship Contests, their applicability, and enforcement in this matter, having examined the petitioner's request and attached documentation, and having been fully advised in the premises, it is hereby determined as follows:

**WHEREAS**, on Saturday, January 11<sup>th</sup> 2020, WBO Female Super Middleweight Participant Alejandra Jimenez won the WBO Female Super Middleweight Championship Title by defeating via "*Split Decision*" (SD) former WBO Female Super Middleweight Champion Ms. Franchon Crews-Dezurn; bout held at the Alamo Dome in San Antonio, Texas, USA; and,

**WHEREAS**, on January 24<sup>th</sup> 2020, official boxing press reported that the Voluntary Anti-Doping Agency ("*VADA*") confirmed the presence of the anabolic steroid "*Eztanozolo*" in WBO Female Super Middleweight Champion Ms. Jiménez, who was the subject to one or more specimens collected and analyzed on January 10<sup>th</sup> of the referenced year to detect performance-enhancing drugs. The use or consumption of said substance is prohibited and, therefore, all interested parties including the WBO, were notified of its finding; and,

**WHEREAS**, on January 29<sup>th</sup> 2020, this Committee issued via email its corresponding "*Show Cause*" notice letter to Ms. Jimenez through her official promoter Mr. Pepe Gomez, in regard to the adverse finding reported by "*VADA*" and as to why the WBO Female Super Middleweight Title should not be declared "Vacant" in light of the possible violations of WBO rules and regulations. Also, Ms. Jimenez was instructed to submit any supporting evidence within the next ten (10) days upon receipt of said notice, and advised that failure to comply with the order would constitute just cause to resolve the matter and adjudicate without further notice and/or hearing; and,

**WHEREAS**, on February 7<sup>th</sup> 2020, Ms. Jimenez's Promoter, Mr. Pepe Gomez, confirmed receipt of the "*Show Cause*" notice letter and responded: "Noted,"; and,

**WHEREAS**, having the ten (10) day period elapsed without any supporting evidence filed by Ms. Jimenez nor her promoter, on February 13<sup>th</sup> 2020, this Committee issued a second "*Show Cause*" notice reiterating the facts stated in the January 29<sup>th</sup> 2020, communication, and advising said participant that the "*TDLR*" Commission overturned the official bout result from a "*Split Decision*" (SD) in favor of Ms. Jimenez, to a "*No Decision*" in conjunction with a three (3) month suspension on Ms. Jimenez in light of the adverse finding; and,

**WHEREAS**, Ms. Jimenez was also reminded that the "*TDLR*" Commission, has jurisdiction and authority to issue any determination pursuant to its rules and regulations in conjunction with the provisions set forth by the Association of Boxing Commissions (ABC) and that the WBO was obliged to abide and comply with the aforementioned regulatory agencies and their respective determinations; and,



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**WHEREAS**, Ms. Jimenez was granted a final five (5) day period upon receipt of the second communication to "*Show Cause*" as to why the WBO Female Super Middleweight Championship Title should not be declared "Vacant" pursuant to the ruling by the "*TDLR*" Commission; and,

**WHEREAS**, again, the time frame established by this Committee elapsed without any evidence or communication whatsoever filed on behalf of Ms. Jimenez nor her promoter. Accordingly, on February 18<sup>th</sup> 2020, we advised said participant that the Committee would resolve and decide the matter in accordance with our rules and regulations;

**WHEREAS**, the following day, January 19<sup>th</sup> 2020, Ms. Jimenez's promoter Mr. Pepe Gomez, informed the Committee that he had talked to WBO President Mr. Valcárcel, Esq., and advised (1) that sample (b) was to be opened during the referenced date (January 19<sup>th</sup> 2020), (2) the "*TDLR*" had issued a ruling without considering the outcome of sample (b), (3) VADA had not provided the solicited documentation by Team Jimenez, and (4) the WBO would be notified by her legal representation accordingly; and,

**WHEREAS**, on March 2<sup>nd</sup> 2020, WBO Female Participant Ms. Jimenez filed an email communication whereby asserting that on December 15, 2019, "*VADA*" performed a first urine and blood sample for anti-doping, which turned out to be negative. Whereas on January 10<sup>th</sup> 2020, she was subject to another anti-doping exam, but on this occasion, a urine sample, which tested positive. She further alleges, that said result (January 10<sup>th</sup> 2020) surprised her since she had never consumed any illegal substances during her preparations; and,

**WHEREAS**, the following day, on January 11<sup>th</sup> 2020, "*VADA*" performed another blood and urine test, and the results came back negative. Lastly, Ms. Jimenez points out numerous issues for consideration, which we have disregarded as they are unsupported as reliable, certified, and relevant evidence as requested by this Committee.; and,

**WHEREAS**, on March 9<sup>th</sup> 2020, Ms. Jimenez wrote a second email communication requesting direction as to which course of action should she consider regarding the corresponding appeal's process with the "*TDLR*", and indicated that the discovery of the requested documentation by "*VADA*" was delayed, and therefore unable to comply with our orders; consequently, she requested an extension for submitting evidence and scheduling a hearing to provide all necessary evidence in support of her innocence; and,

**WHEREAS**, also on March 9<sup>th</sup> 2020, the WBO main offices acknowledged receipt of email communication on behalf of the "*TDLR*" Commission Director Mr. Greg Alvarez, confirming Ms. Jimenez's suspension and the decision of the bout changed to a "*No Decision*" (ND), in light of Ms. Jimenez's adverse finding; and,



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**WHEREAS**, again, this Committee disregards these averments by Ms. Jimenez as they were filed late and are unsupported by reliable, certified, and relevant evidence; and,

**WHEREAS**, on February 21<sup>st</sup> 2020, this Committee confirmed receipt of email communication titled: "***Grievance as to the Outcome of January 11, 2020, Professional Boxing Contest Between Franchon Crews-Dezurn and Alejandra Jimenez for the WBO Female World Championship***" by Mr. Paul S. Haberman, Esq., on behalf of WBO Female Participant Crews-Dezurn. In essence, petitioner requested nullifying Ms. Jimenez's victory and award the WBO Female Super Middleweight Championship Title to Ms. Crews-Dezurn in light of the adverse finding reported by the Voluntary Anti-Doping Agency (VADA) regarding Ms. Jimenez's urine sample taken on January 10<sup>th</sup> 2020; and,

**WHEREAS**, accordingly, WBO President Valcárcel, Esq., confirmed Mr. Haberman's communication on February 28<sup>th</sup> 2020, and requested filling any evidence whereby the "TLDR" commission's ruling overturning the official bout result to a "*No Decision*" and issuing a three (3) month suspension on Ms. Jimenez was final and firm. The matter was referred to this Committee for adjudication; and

**WHEREAS**, on March 12<sup>th</sup> 2020, Mr. Haberman, Esq., filed another communication via email with an attached report from the "TLDR" Commission, which stated the official bout result as a "*No Decision*," (ND) and confirming Ms. Jimenez's suspension until April 11<sup>th</sup> 2020; and,

**NOW, THEREFORE, BE IT RESOLVED** by the WBO World Championship Committee according to the WBO Regulations of World Championship Contests as follows:

### APPLICABLE RULES AND REGULATIONS

§ 1 (b), (7), (22), and (c) of the WBO Regulations of World Championship Contests are controlling in the present matter. These in relevant, provide as follows:

#### SECTION 1. WORLD CHAMPIONSHIP COMMITTEE

(b) The WBO World Championship Committee shall have the following powers and discretion:

(7) To recommend to the WBO President and the Executive Committee that a title should be vacated if a Champion fails to comply with the WBO World Championship Rules; and,

(22) To vacate the Championship of a Champion who has had his/her boxing license suspended for the use of performance-enhancing drugs or illegal drugs; and,



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(c) The above powers shall be interpreted to include any and all powers necessary, helpful or convenient to accomplish the purposes, policies, and intent of these rules; and

Furthermore, § 19 (a), (b) (4), (c) (1), (e) (4), and (6), respectively also governs the present controversy. These in relevant, provide as follows:

### **SECTION 19. FAILURE OF THE CHAMPION AND/OR WBO PARTICIPANT TO COMPLY WITH THE TERMS OF A WORLD CHAMPIONSHIP CONTRACTS OR THE WORLD CHAMPIONSHIP RULES**

(a) "If any WBO Participant, including WBO World Champion fails to comply with his contractual obligation to fight in any WBO Championship Contest without justifiable cause, or is determined by a Host Commission, a licensing commission, or otherwise tested positive for an illegal or any performance-enhancing drug, or fails to inform the WBO of any medical condition, impairment, or any other circumstance which jeopardizes his participation in any WBO Championship contests, or if a WBO Participant or any of his team members misleads, attempts to misleads, or petitions a Local Boxing Commission to illegally or incorrectly license said WBO Participant, the Committee may recommend to the WBO President and to the WBO Executive Committee that the Champion be stripped of the title and that the title be declared vacant and/or take any action deem proper, equitable and just against the WBO Participant in accordance to these regulations."

(b) Prohibited Conducts

(4) Use of illegal drugs and/or any performance enhancing substances including, but not limited to Steroids / Anabolic Steroids

(c) Procedures – In General

"The WBO World Championship Committee shall have all powers and authority to request, examine, evaluate, and consider any and all relevant facts and supporting evidence from any WBO Participant pertaining to any allegation(s) of violation(s) of these prohibitions."

(1) Show Cause Notice

In the event the WBO World Championship Committee determines there is cause to believe there is the possibility of a violation of any of the prohibitions of these Championship Rules by a WBO Participant, it shall notify the WBO Participant through the methods set forth in these regulations, that the WBO Participant must show cause why the enforcement of this



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provision, or as otherwise provided for in these regulations, should not be imposed. The show cause notice shall establish the potential violation that must be responded to and the evidence, documentation, and procedure established by the WBO World Championship Committee to respond to the Show Cause Notice. Failure to address and/or submit any required or supporting evidence by the WBO Participant within the time frame outlined in the Show Cause Notice will constitute a waiver of any right to contest said notice. Upon receipt of the WBO Participant's response to the Show Cause Notice, the WBO World Championship Committee shall determine whether there has been a violation of a prohibition contained in the WBO World Championship Rules, and issue a Ruling on the consequences for such determination of violation.

### (e) Other Rulings

In connection with any Show Cause process, the WBO World Championship Committee shall have the power and discretion to issue all determinations and rulings including, but not limited to:

(4) Suspension from all WBO or Regional Contests

(6) Any other rulings deem necessary, helpful, or convenient to accomplish the purposes, policies, and intent of the World Boxing Organization

Conversely, § 28 (a), (b), and (c), of the WBO Regulations governs prohibitions regarding usage of drugs or stimulants by WBO Participants. In relevant, this section provides as follows:

### **SECTION 28. DRUGS OR STIMULANTS**

(a) The use of illegal drugs or performance-enhancing drugs or stimulants before or during the Championship Contest by any of the contestants shall be sufficient cause for the disqualification of the contestant guilty of said use.

(b) The determination of illegal drug use or performance-enhancing drug use or stimulants user under Section 19 (a) may only be made by the Host Commission if supported by test results by WADA, VADA, or any internationally recognized anti-doping entity.

### **ANALYSIS AND CONCLUSION**

Both WBO Female Super Middleweight Participants Ms. Jimenez and Ms. Crews-Dezurn enrolled in the Voluntary Anti-Doping Agency program (*VADA*), whereby they were subject to the applicable protocol. In regard to Ms. Jimenez, "*VADA*" confirmed the presence of the anabolic



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steroid "*Eztanazolol*" in said participant who was the subject to one or more specimens collected and analyzed on January 10<sup>th</sup> 2020, to detect usage of performance-enhancing drugs. The use or consumption of said substance is prohibited and, therefore, all interested parties, including the World Boxing Organization, were duly notified.

Accordingly, these circumstances triggered the WBO Regulations of World Championship Contests and this Committee's jurisdiction, authority, and discretion to enforce, resolve and adjudicate the matter in accordance with our rules and regulations. Consequently, WBO Female Participant Ms. Jimenez was granted due process through an official "*Show Cause*" notice letter whereby she was advised through her official promoter, of the underlying facts, possible violations, and applicable procedure to challenge why the WBO World Championship Committee should not vacate the WBO Female Super Middleweight Title in light of her actions. Ms. Jimenez was granted a ten (10) day period to respond and warned that failure to comply would constitute a waiver of any other right thereto and with the Committee having the right to issue any further ruling deem necessary, helpful or convenient to accomplish the purposes, policies, and intent of the WBO regulations. Ms. Jimenez's promoter acknowledged receipt of the show cause letter, but no other further response or evidence whatsoever was forwarded to this Committee.

Conversely, the *Texas Department of Licensing and Regulation (TDLR)* Commission, the regulatory agency with jurisdiction over the controversy regarding the official bout result and suspension, determined that as a result of Ms. Jimenez's adverse finding, the official bout result of "*Split Decision*" (SD) be changed to a "*No Decision*" (ND) and issued a suspension on said participant until April 11<sup>th</sup> 2020. This ruling triggered the Committee by issuing a second "*Show Cause*" notice to Ms. Jimenez and advising said participant that the WBO must adhere and abide by the local boxing commission with jurisdiction over the bout, its ruling and determinations. Therefore, Ms. Jimenez was granted a final five (5) day timeframe to provide any supporting evidence in her defense as to why we should not declare the WBO Female Super Middleweight title "Vacant."

On both occasions, Ms. Jimenez failed to comply with this Committee's orders as per the "*Show Cause*" notices. Notwithstanding the foregoing, Ms. Jimenez filed two email communications with no reliable, credible, or relevant supporting evidence in her defense, rather unfounded averments and allegations unsupported in the record. Lastly, Ms. Jimenez requested advice as to the procedure for an appeal with the "*TDLR*" Commission and a hearing with the WBO, albeit the time frame for any possible challenge to this Committee's ruling had elapsed. In light of these events, WBO Female Super Middleweight Participant Ms. Franchon Crews-Dezurn, petitioner in this case, requested that as result of the local boxing commission nullifying the official bout result to a "*No Decision*" (ND), Ms. Crews-Dezurn shall be reinstated as WBO Female Super Middleweight Champion accordingly. In support of such claim, Ms. Crews-Dezurn's legal representative submitted a written document from the supervising commission (*TDLR*), confirming the official bout result rendered as a "*No Decision*" (ND), and Ms. Jimenez's suspension until April 11<sup>th</sup> 2020.



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Accordingly, this Committee requested confirmation from the local boxing commission (TDLR), to the effect as to whether the ruling and suspension were final and firm. Said inquiries were answered in the affirmative and therefore, the matter was subject to a final resolution, and adjudication on the merits by this Committee.

All WBO Champions are encouraged to be an example of the highest ideals and spirit of sportsmanship. A World Champions' sportsmanship shows his respect for the profession he has chosen, including the Champion himself, his opponent, the World Boxing Organization, and, most importantly, boxing fans worldwide. *See, Preamble of the WBO Regulations of World Championship Contests.* WBO Female Super Middleweight Participant Ms. Jimenez incurred in one of the most reprehensible behaviors' in our sport through the illegal usage of a performance-enhancing drug, which could have endangered the physical health, safety, and wellbeing of Ms. Crews-Dezurn. This conduct is contrary to the general principles that govern our institution. It is a well-established WBO policy, to punish these types of conducts incurred by any WBO Participant. Our rules and regulations strictly prohibit the use of any illegal drugs, performance-enhancing drugs or stimulants. Violation of these provisions by any WBO Participant, entail serious consequences, including, but not limited to losing their highest objective in professional boxing, the WBO World Championship Title.

Wherefore, having this Committee examined and reviews the applicable rules and regulations, having granted all parties substantial due process, having confirmed with the Texas Licensing and Regulation Department, administrative regulatory body with jurisdiction over the official bout result and imposed suspension, and having considered petitioner's request, this Committee rules as follows:

**NOW, THEREFORE, BE IT RESOLVED** by the WBO World Championship Committee according to the WBO Regulations of World Championship Contests as follows:

1. The WBO World Championship Committee hereby strips Ms. Alejandra Jimenez of her WBO Female Super Middleweight Championship Title and it reinstates WBO Female Participant Ms. Franchon Crews-Dezurn as the official WBO Female Super Middleweight Champion.

This is a final decision of the WBO Championship Committee. The affected WBO participant may appeal such determination to the Complaint and Grievance Committee as per Rule 34, which as per Rule 3(e) of the WBO Appeals Regulation, must be submitted in writing to the WBO President within fourteen (14) days of this decision as its sole and exclusive remedy.

Dated in San Juan, Puerto Rico on this 17<sup>th</sup> day of March 2020

**WBO WORLD CHAMPIONSHIP COMMITTEE**



# **WBO WORLD CHAMPIONSHIP COMMITTEE RESOLUTION**

By: Luis Batista Salas, Esq./Chairman Championship Committee