RULING #177

DATE: 09/02/2023

NAME: Xavier A. Rivera

DOB: 10/28/1987

PERMIT: # 63275 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Xavier Rivera is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Rivera failed to have the horse "Last Promise" present in the paddock for the 8th race on Wednesday, August 30, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Thelp Leedon role & Steward

RULING #178

DATE: 09/01/2023

NAME: Alex Gonzalez

DOB: 10/18/1991

PERMIT #: 62195 Jockey

The Stewards hereby impose the following penalty:

Jockey Alex Gonzalez is hereby summarily suspended pending a hearing to be held on Wednesday, September 13, 2023 at 10:00 am in the Stewards Office, concerning alleged violation of WV Rules of Racing 178-1-24.3.b.6 and 178-1-24.3.y.

Testing positive for a controlled substance, THC, third offense.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Steward

RULING #179

DATE: 09/03/2023

NAME: Jose Castillo

DOB: 08/02/1964

PERMIT #: 63845 Groom

The Stewards hereby impose the following penalty:

Groom Jose Castillo is hereby summarily suspended pending a hearing to be held on Wednesday, September 13, 2023 at 11:00 am in the Stewards Office for refusing testing ordered by the Board of Stewards.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Steward

RULING #180

DATE: 09/04/2023

NAME: Ben Delong

DOB: 11/04/1985

PERMIT: # 59629 Trainer

The Stewards hereby impose the following penalty:

Trainer Ben Delong is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-1.44.1 "its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the steward's satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race."

Mr. Delong failed to have the foal registration papers on file with the Racing Secretary's office for the horse "Rattrapante" for the running of the 4th race on Sunday, September 3, 2023, resulting in a late scratch. This is his first offense in 2023.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Phely Heidonneral Steward

RULING #181

DATE: 09/04/2023

NAME: Crystal Richison

DOB: 11/10/1978

PERMIT: # 62199 Trainer

The Stewards hereby impose the following penalty:

Trainer Crystal Richison is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Ms. Richison failed to have the horse "Quick Entry" present in the paddock for the 6th race on Sunday, September 3, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Lay Melle Steward

They Heidenreich Steward

RULING

RULING #182

DATE: 09/04/2023

NAME: Nestor Cascallares

DOB: 04/28/1968

PERMIT: # 63477 Trainer

The Stewards hereby impose the following penalty:

Trainer Nestor Cascallares is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Ms. Richison failed to have the horse "Hard to Handele" present in the paddock for the 8th race on Monday, September 4, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Philip Weidenreich Steward

RULING #183

DATE: 09/05/2023

NAME: Yuri Yaranga

DOB: 09/09/1961

PERMIT: # 61569 Jockey

The Stewards hereby impose the following penalty:

After a race review in the Stewards stand on Monday, September 4, 2023, the Stewards find that Jockey Yuri Yaranga is in violation of WV Rule(s) of Racing 178-1-45.7.b.1, 178-1-45.7.c.2, and 178-1-45.7.c.3. Mr. Yaranga was present for the review. Mr. Yaranga is hereby suspended three (3) racing days, effective Sunday, September 10, Monday, September 11, and Tuesday, September 12, 2023.

Mr. Yaranga drifted in with his mount #3 "Enjoy Baseball" impeding rival #5 "Regal Holiday" and causing rival to be squeezed and forced to check past the quarter pole during the running of the 8th race on Wednesday, August 30, 2023. Mr. Yaranga's mount #3 "Enjoy Baseball" was disqualified from 1st and placed 3rd.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Philip Theolonreich Steward

RULING

RULING #185

DATE: 09/04/2023

NAME: Kyle Gilbert

DOB: 03/01/1996

PERMIT: #65701 Jockey

The Owner (#62967) permit and the Blacksmith (#62171) permit issued to Kyle Gilbert are hereby rescinded after he was issued a Jockey (#65701) permit.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Steward

RULING

RULING #186

DATE: 09/06/2023

NAME: Yuri Yaranga

DOB: 09/09/1961

PERMIT: # 61569 Jockey

The Stewards hereby impose the following penalty:

After a race review in the Stewards stand on Wednesday, September 5, 2023, the Stewards find that Jockey Yuri Yaranga is in violation of WV Rule(s) of Racing 178-1-45.7.b.1, 178-1-45.7.c.2, and 178-1-45.7.c.3. Mr. Yaranga was present for the review. Mr. Yaranga is hereby suspended three (3) racing days, effective Wednesday, September 13, Sunday, September 17, and Monday, September 18, 2023.

Mr. Yaranga came out with his mount #5 "Full of Luck" impeding rival #8 "Gotagetitback" and causing rival to clip heels during the stretch running of the 2nd race on Tuesday, September 5, 2023. Mr. Yaranga's mount #5 "Full of Luck" was disqualified from 1st place and placed seventh(7th).

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Steward

RULING

RULING #187

DATE: 09/11/2023

NAME: Juan Carlos Gotera

DOB: 06/18/1963

PERMIT: # 64844 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Juan Carlos Gotera is hereby fined two hundred dollars (\$200.00) for violation of WV Rule of Racing 178-1-49.7.e.3 "Each trainer is responsible for ensuring that the horse is available at the appropriate time for its treatment."

Mr. Gotera failed to have the horse "Wolf Eyes" present and available at the appropriate time for its treatment of Lasix for the 7th race on Sunday, September 10, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

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BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #188

DATE: 09/11/2023

NAME: Tyrone Nelson

DOB: 12/20/1984

PERMIT: # 63840 Jockey

The Stewards hereby impose the following penalty:

After a race review in the Stewards stand on Sunday, September 10, 2023, the Board of Stewards find Jockey Tyrone Nelson in violation of WV Rule of Racing section 178-1-45.7.f.5.B. (Use the crop more than two (2) times without allowing the horse to respond), 6th race on Monday, September 4, 2023. Mr. Nelson was present for the race review.

Mr. Nelson is hereby fined one hundred dollars (\$100.00). This is his first offense for 2023.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Philip Heidenreich Steward

RULING #189

DATE: 09/12/2023

NAME: Luis Alberto Batista

DOB: 04/24/1995

PERMIT: #61707 Jockey

The Stewards hereby impose the following penalty:

After a race review in the Stewards stand on Monday, September 11, 2023, the Board of Stewards find Jockey Luis Alberto Batista in violation of WV Rule of Racing section 178-1-45.7.b.1, 178-1-45.7.c.2, and 178-1-45.7.c.3. Mr. Batista is hereby suspended three (3) racing days effective, Wednesday, September 13, Sunday, September 17, and Monday, September 18, 2023. Mr. Batista was present for the race review.

Mr. Batista drifted out under left-handed pressure with his mount #3 "Coastal Chaos" into the path of #6 "Strastbourg" bumping twice in the stretch during the running of the 6th race on Sunday, September 10, 2023. Mr. Batista's mount #3 "Coastal Chaos" was disqualified from first place and placed second.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

They Kerdonneich Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #190

DATE: 09/12/2023

NAME: Richard T. Vickers

DOB: 07/29/1971

PERMIT: # 64225 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Richard Vickers is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Vickers failed to have the horse "My Pink Baby Bird" present in the paddock for the 8th race on Monday, September 11, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Stoward

Philip Kerdenzelche Steward

RULING #191

DATE: 09/12/2023

NAME: Gary L. Johnson

DOB: 10/27/1957

PERMIT: # 63089 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Gary Johnson is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Johnson failed to have the horse "Cristalinda" present in the paddock for the 5th race on Monday, September 11, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Stoward

Philip Weidenroich Steward

RULING #192

DATE: 09/12/2023

NAME: Sergio Donjuan

DOB: 03/17/1977

PERMIT: # 63838 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Sergio Donjuan is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-1.44.1 "its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the steward's satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race."

Mr. Donjuan failed to have the foal registration papers on file with the Racing Secretary's office for the horse "Ancient Brown" for the running of the 5th race on Monday, September 11, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Theor Keedonroich Steward

RULING #193

DATE: 09/12/2023

NAME: James Canegata

DOB: 09/09/1975

PERMIT: # 66069 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer James Canegata is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-1.44.1 "its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the steward's satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race."

Mr. Canegata failed to have the foal registration papers on file with the Racing Secretary's office for the horse "Tuff Attack" for the running of the 6th race on Monday, September 11, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Philip Heidenreich Steward

194 RULING #197

DATE: 09/15/2023

NAME: Jose Castillo

DOB: 08/02/1964

PERMIT#: 63845 Groom

The Stewards hereby impose the following penalty:

Groom Jose Castillo is hereby suspended for refusing testing ordered by the Board of Stewards. A violation of WV Rule of Racing #178-1-24.3.b.5.

Mr. Castillo must undergo a professional assessment before the Stewards determine whether or not his condition is such that he may hold a permit and participate in racing.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Steward

The horse "Biscottini" is disqualified from all purse monies and the purse is to be redistributed as follows:

1st Illusions of Love

2nd Gold Pass

3rd Mavi

4th Yesterdaysplan

5th Shore of Edan

The horsemen's bookkeeper is requested to make the necessary adjustments.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

RULING #195

DATE: September 12, 2023

TO: Jami Poole

DOB: 05/28/1971

PERMIT #: 65682 Owner/Trainer

The Stewards hereby impose the following penalty:

Industrial Laboratories reported sample #E481149 taken from the horse "Biscottini" which finished 3rd in the 5th race on Monday, August 14, 2023, did contain 3-Hydroxylidocaine confirmed in blood (377.0 pg/ml.) The measurement of uncertainty for the method is (2.4 pg/ml) at the (20 pg/ml) threshold. 3-Hydroxylidocaine is a class 2 drug carrying a B penalty.

A hearing for Mr. Poole was held on Tuesday, September 12, 2023, in the Stewards office at 10:00 am, with Mr. Poole present. He elected not to send a split sample. The Board of Stewards concludes that Mr. Poole has violated section 178-1-49.4.a.2 of the Thoroughbred Racing Rule, 178 C.S.R.1. This medication/prohibited substance violation is the permit holder's first violation in a 365-day period for medication/prohibited substance carrying a B penalty. The permit holder has accumulated (0) zero points under the multiple medication violation point system prior to this ruling. The points assessed for this medication/prohibited substance violation are two (2) points, giving a total of two (2) points pursuant to section 178-1-49.3.m of the Thoroughbred Racing Rules.

Based on the guidelines set forth in table 178-1 of the Thoroughbred Racing Rules, the Board of Stewards hereby fine Mr. Poole five hundred (\$500.00) dollars and suspend him for fifteen (15) days, effective, Monday, September 18, 2023, thru and including Monday, October 2, 2023.

RULING

RULING #196

DATE: 09/18/2023

NAME: Lori Loudin Smith

DOB: 01/02/1968

PERMIT: # 63028 Trainer

The Stewards hereby impose the following penalty:

Trainer Lori Loudin Smith is hereby fined two hundred dollars (\$200.00) for violation of WV Rule of Racing 178-1-49.7.e.3 "Each trainer is responsible for ensuring that the horse is available at the appropriate time for its treatment."

Ms. Loudin Smith failed to have the horse "Lucky Nineteen" present and available at the appropriate time for its treatment of Lasix for the 3rd race on Wednesday, September 13, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Stoward

nees

RULING #197

DATE: 09/13/2023

NAME: Jairo Hernandez

DOB: 02/23/1991

PERMIT: # 64344 Jockey

The Stewards hereby impose the following penalty:

Jockey Jairo Hernandez is hereby fined one hundred (\$100.00) dollars for violation of WV Rule of Racing 178-1-28.3.b "A jockey shall faithfully fulfill all engagements in respect to racing."

Mr. Hernandez failed to fulfill his riding engagement for the 2nd race on Monday, September 11, 2023.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Philip Heidenzeich Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #198

DATE: 09/13/2023

NAME: Jason Simpson

DOB: 07/16/1985

PERMIT: #65668 Jockey

The Stewards hereby impose the following penalty:

Having waived his right to a hearing, the Board of Stewards find Jockey Jason Simpson, in violation of WV Rule of Racing section 178-1-45.7.f.5.B (Use the crop more than two (2) times without allowing the horse to respond) and 178-1-45.7.f.5.A (Use the crop more than six (6) time during the race. Both rule violations occurred in the 2nd race on Tuesday, September 12, 2023.

Mr. Simpson is hereby suspended six (6) Mountaineer Park race days, three (3) days for each whip violation. This is Mr. Simpson's 4th violation for each rule violation.

Mr. Simpson's days are effective Wednesday, September 13, 2023, Sunday, September 17, 2023, Monday, September 18, 2023, Tuesday, September 19, 2023, Wednesday, September 20, 2023 and Sunday, September 24, 2023.

Per Rule 178-1-28.1.f, Mr. Simpson may gallop while suspended.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #199

DATE: 09/13/2023

NAME: Juan Pablo Silva

DOB: 02/07/1977

PERMIT: # 61289 Owner/Trainer

The Stewards hereby impose the following penalty:

A hearing notice was issued on Friday, September 1, 2023 to Owner/Trainer Juan Pablo Silva for a hearing in the Stewards office at Mountaineer Park Racetrack on Tuesday, September 12, 2023, at 11:00 am.

Juan Pablo Silva was hand delivered a hearing notice which he signed showing receipt of the hearing notice. Juan Pablo Silva did attend the hearing.

After conducting a hearing, the Board of Stewards find Juan Pablo Silva in violation of WV Rules of Racing section (s) 178-1-24.11.f, 178-1-24.11.gg and 178-1-24.g of the Thoroughbred Racing Rules, 178 C. S. R. 1. Having used profane, indecent, or vulgar language towards the State Veterinarian, Dr. Bohenko, after the running of the 3rd race on Tuesday, August 29, 2023.

Juan Pablo Silva is hereby fined two hundred fifty (\$250.00) dollars.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Philes Hordonrock Steward

RULING #200

DATE: 09/13/2023

NAME: Gary L Johnson

DOB: 10/27/1957

PERMIT: # 63089 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Gary L Johnson is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Johnson failed to have the horse "Scratchoff' present in the paddock for the 3rd race on Wednesday, September 13, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Verdomere K Steward

RULING #201

DATE: 09/13/2023

NAME: Eddie Clouston

DOB: 06/05/1965

PERMIT: # 65385 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Eddie Clouston is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Clouston failed to have the horse "Money for Mischief" present in the paddock for the 2nd race on Wednesday, September 13, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Steward

RULING

RULING #202

DATE: 09/18/2023

NAME: Jose A. Leon

DOB: 01/13/1999

PERMIT: #62606 Jockey

The Stewards hereby impose the following penalty:

A hearing was convened on Monday, September 18, 2023, in the Stewards office at Mountaineer Park Racetrack for Jockey Jose A. Leon, regarding allegations that you have violated sections 178-1-24.11.gg, 178-1-24.11.q, and 178-1-24.11.g of the Thoroughbred Racing Rules, 178.C.S.R.1. Mr. Leon was present for the hearing and was not represented by legal counsel.

Mr. Leon is hereby fined one hundred (\$100.00) dollars for violation of WV Rule of Racing 178-1-24.11.q, "has abandoned, mistreated, abused, neglected, or engaged in an act of cruelty to a horse or any other livestock or domestic animals kept of association grounds."

Mr. Leon was caught striking a horse across the face on Sunday, September 10, 2023, during morning exercising.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Steward

RULING

RULING #203

DATE: 09/18/2023

NAME: Jan Baez

DOB: 11/10/2000

PERMIT: # 59324 Apprentice Jockey

The Stewards hereby impose the following penalty:

The Apprentice Jockey (#59324) permit issued to Jan Baez, is hereby rescinded, as he was issued a Jockey (#66223) permit.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward



DATE: 09/18/2023

NAME: Dave Treharne

DOB: 01/11/1979

PERMIT: # 62224 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Dave Treharne is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Treharne failed to have the horse "Kozy's Wildcat" present in the paddock for the 7th race on Monday, September 18, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

RULING #205

DATE: 09/19/2023

NAME: Ricardo Barrios

DOB: 06/18/1970

PERMIT: # 65688 Jockey

The Stewards hereby impose the following penalty:

After a race review in the Steward's stand, the Board of Stewards find Jockey Ricardo Barrios in violation of WV Rule of Racing 178-1-45.7.f.5.A. (Use the crop more than six (6) times during the race) 5th race on Sunday, September 17, 2023.

Mr. Barrios is hereby fined one hundred (\$100.00) dollars. This is his second offense in 2023.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Philip Heidonicech Steward

RULING

RULING #206

DATE: 09/19/2023

NAME: Tyrone Nelson

DOB: 12/20/1984

PERMIT: # 63840 Jockey

The Stewards hereby impose the following penalty:

After a race review in the Steward's stand on Monday, September 18, 2023, the Board of Stewards hereby find Jockey Tyrone Nelson in violation of WV Rule of Racing 178-1-45.7.f.5.A. (Use the crop more than six (6) times during the race) 4th race on Sunday, September 17, 2023.

Mr. Nelson is hereby suspended three (3) Mountaineer Park race days, effective, Wednesday, September 20, Sunday, September 24, and Monday, September 25, 2023. This is his third offense at Mountaineer Racetrack for 2023.

Per Rule 178-1-28.1.f, Mr. Nelson is permitted to gallop while suspended.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

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RULING #207

DATE: 09/19/2023

NAME: Alex Gonzalez

DOB: 10/18/1991

PERMIT #: 62195 Jockey

The Stewards hereby impose the following penalty:

A hearing was conducted on Tuesday, September 12, 2023 for Jockey Alex Gonzalez violation of WV Rules of Racing 178-1-24.3.b.5. Mr. Gonzalez tested positive for THC, his 3rd violation of testing positive. He had refused testing twice before.

Mr. Gonzalez was found to be in violation of aforementioned rule and his Jockey permit is revoked. He must successfully complete a certified drug/alcohol rehabilitation program before applying for reinstatement before the Racing Commission.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Steward

RULING #208

DATE: 09/20/2023

NAME: Crystal Richison

DOB: 11/10/1978

PERMIT: # 62199 Trainer

The Stewards hereby rescind ruling #181 issued on September 9, 2023, as it was issued in error.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Chilp Reidenreich Steward

RULING #209

DATE: 09/19/2023

NAME: Yan Aviles

DOB: 12/29/2001

PERMIT: # 62192 Jockey

The Stewards hereby impose the following penalty:

Jockey Yan Aviles is hereby fined one hundred (\$100.00) dollars for violation of WV Rule of Racing 178-1-28.3.b "A jockey shall faithfully fulfill all engagements in respect to racing."

Mr. Aviles failed to fulfill his riding engagement for the 7th race on Monday, September 18, 2023, necessitating a late rider change. This is his first offense for 2023.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

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Philip Heidonreich Steward

RULING

RULING #210

DATE: 09/20/2023

NAME: Samuel Jiminez

DOB: 08/22/1974

PERMIT: #63238 Jockey

The Stewards hereby impose the following penalty:

After a race review in the Steward's stand on Tuesday, September 19, 2023, the Board of Stewards hereby find Jockey Samuel Jiminez in violation of WV Rule of Racing 178-1-45.7.f.5.A. (Use the crop more than six (6) times during the race) 8th race on Monday, September 18, 2023.

Mr. Jiminez is also found to be in violation of WV Rule of Racing 178-1-45.7.f.6.A. (Use of the crop in an excessive or brutal manner) 8th race on Monday, September 18, 2023.

Mr. Jiminez is hereby fined one hundred (\$100.00) dollars for each violation, for a total fine of two hundred (\$200.00) dollars. This is his first offense for each violation at Mountaineer Racetrack for 2023.

Mr. Jiminez was not present for the race review. He was represented by Jockey Charle Oliveros.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Steward

RULING

RULING #211

DATE: 09/22/2023

NAME: Jose L. Vega, Jr.

DOB: 01/17/1987

PERMIT: # 60748 Jockey

The Stewards hereby impose the following penalty:

After a race review in the Stewards stand, the Board of Stewards hereby finds Jockey Jose L. Vega, Jr in violation of WV Rule of Racing #178-1-45.7.f.6.C. (Use of the crop from an arm position with the wrist above the helmet), 2nd race on Tuesday, September 19, 2023.

Mr. Vega is hereby fined one hundred (\$100.00) dollars. This is his 1st offense in 2023.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

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RULING #212

DATE: 09/25/2023

NAME: Erik Barbaran

DOB: 04/19/1992

PERMIT: # 62462 Jockey

The Stewards hereby impose the following penalty:

After a race review in the Steward's stand, the Board of Stewards find Jockey Erik Barbaran in violation of WV Rule of Racing 178-1-45.7.f.5.A. (Use the crop more than six (6) times during the race) 5th race on Monday, September 20, 2023. Mr. Barbaran was present for the review.

Mr. Barbaran is hereby suspended three (3) Mountaineer Park race days, effective, Sunday, October 3, Monday, October 4, and Tuesday, October 5, 2023. This is his third offense in 2023.

Per rule 178-1-28.1.f, Mr. Barbaran may gallop while suspended.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Steward

RULING #213

DATE: 09/25/2023

NAME: Yan Aviles

DOB: 12/29/2001

PERMIT: # 62192 Jockey

The Stewards hereby impose the following penalty:

Jockey Yan Aviles is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-28.3.b "A jockey shall faithfully fulfill all engagements in respect to racing."

Mr. Aviles failed to fulfill his riding engagement for the 1st race on Sunday, September 24, 2023, necessitating a late rider change. This is his second offense for 2023.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Philip Heidonroich Steward

RULING #214

DATE: 09/27/2023

NAME: Yan Aviles

DOB: 12/29/2001

PERMIT: # 62192 Jockey

The Stewards hereby impose the following penalty:

After a race review in the Stewards stand on Tuesday, September 26, 2023, the Board of Stewards find Jockey Yan Aviles in violation of WV Rule of Racing section 178-1-45.7.f.5.B. (Use the crop more than two (2) times without allowing the horse to respond), 1st race on Monday, September 25, 2023.

Mr. Aviles is hereby fined one hundred dollars (\$100.00). This is his first offense for 2023.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

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RULING #216

DATE: 10/02/2023

NAME: Walter Cullum

DOB: 08/21/1973

PERMIT: # 65604 Jockey

The Stewards hereby impose the following penalty:

Having waived his right to a hearing, the Board of Stewards find Jockey Walter Cullum in violation of WV Rule of Racing 178-1-45.7.f.5.A. (Use the crop more than six (6) times during the race) 3rd race on Sunday, October 1, 2023.

Mr. Cullum is hereby suspended three (3) Mountaineer Park race days effective, Sunday, October 8, Monday, October 9, and Tuesday, October 10, 2023. This is his fourth offense at Mountaineer Park for 2023.

Per Rule 178-1-28.1.f, Mr. Cullum may gallop while suspended.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

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The horse "Enzoexpress" is disqualified from all purse monies and the purse is to be redistributed as follows:

- 1st) Perfect Gentleman
- 2nd) Rejuvenate
- 3rd) Osbin
- 4th) Inspiring Justice
- 5th) Somerset Bay
- 6th) Skylas Gold

The horseman's bookkeeper is requested to make the necessary adjustments.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Steward

Steward

Steward

RULING #217

DATE: 10/03/2023

TO: Joe Pizzurro

DOB: 07/10/1956

PERMIT #: 66068 Trainer

The Stewards hereby impose the following penalty:

Industrial Laboratories reported sample #E481186 taken from the horse "Enzoexpress" which finished 1st in the 7th race on Wednesday, July 12, 2023, did contain Naproxen confirmed in blood. Naproxen is a class 4 drug carrying a C penalty. Trainer Joe Pizzurro elected to send a split sample, which was sent to UIC Analytical Forensic Testing Laboratory. Naproxen was confirmed in the blood sample.

A hearing for Mr. Pizzurro was held on Tuesday, October 3, 2023, in the Stewards office at 10:00 AM. Mr. Pizzurro was present telephonically. The Board of Stewards concludes that Mr. Pizzurro has violated section 178-1-49.4.a.2 of the Thoroughbred Racing Rule, 178 C.S.R.1. This medication/prohibited substance violation is the permit holder's first offense in a 365-day period for medication/prohibited substance carrying a C penalty. The permit holder has accumulated zero (0) points under the multiple medication violation point system prior to this ruling. The points assessed for this medication/prohibited substance violation are one (1) point, giving a total of one (1) point pursuant to section 178-1-49.3.m of the Thoroughbred Racing Rules.

Based on the guidelines set forth in table 178-1 of the Thoroughbred Racing Rules, the Board of Stewards hereby fine Mr. Pizzurro one thousand (\$1,000.00) dollars.

RULING #218

DATE: 010/04/2023

NAME: Shane Spiess

DOB: 06/08/1957

PERMIT: # 65685 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Shane Spiess is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Spiess failed to have the horse "Napa Dude" present in the paddock for the 7th race on Wednesday, October 4, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Steward

Steward

Steward

RULING #219-Revised

DATE: 10/04/2023

NAME: Matias Misael Bravo

DOB: 06/15/2003

PERMIT: # 66376 Apprentice Jockey

The Stewards hereby impose the following penalty:

After a race review in the Stewards stand, the Stewards find that Apprentice Jockey Matias Misael Brave is in violation of WV Rule(s) of Racing 178-1-45.7.e, "All horses shall be ridden out past the finish line in every race. A jockey shall not ease up or coast to the finish, without reasonable cause, even if the horse has no apparent chance to win prize money. A jockey shall give a best effort during a race, and each horse shall be ridden to win."

Mr. Bravo eased up nearing the wire during the running of the 4th race on Monday, October 2, 2023, while aboard #3 "And the Oscar Goes"

Mr. Bravo is hereby fined one hundred (\$100.00) dollars. This is his first offense in 2023.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

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RULING

RULING #220

DATE: 10/04/2023

NAME: Wilfrido Montano

DOB: 07/30/1969

PERMIT: #65703 Owner/Trainer

The Stewards hereby impose the following penalty:

A hearing was convened on Wednesday, October 4, 2023, in the steward's office at Mountaineer Park. Mr. Montano was present for the hearing; he was not represented by legal counsel.

Mr. Wilfrido Montano is hereby fined Two Hundred Fifty (\$250.00) dollars for violation of WV Rule of Racing section (s) 178-1-26.3.c and 178-1-23.2.b.3 of the Thoroughbred Racing Rules, 178 C.S.R.1. "Each trainer is responsible for the condition and contents of stalls, tack rooms..." "No person shall leave unattended any electrical appliance that is plugged into an electrical outlet..." Mr. Montano had an unattended oat cooker in his tack room cooking oats.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

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RULING #221

DATE: 10/09/2023

NAME: Jesse Weinlein

DOB: 10/06/1973

PERMIT: # 66538 Jockey

The Stewards hereby rescind the Owner (58079) permit issued to Jesse Weinlein on 11/19/2022, as he was issued a Jockey(66538) permit instead.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

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RULING

RULING #222

DATE: 10/09/2023

NAME: Shannon Simpson

DOB: 04/23/1966

PERMIT: # 65313 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Shannon Simpson is hereby fined one hundred (\$100.00) dollars for violation of WV Rule of Racing 178-1-1.44.1 "its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the steward's satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race."

Ms. Simpson failed to have the foal registration papers on file with the Racing Secretary's office for the horse "Haughty Kitty" for the running of the 5th race (maiden special weight) on Sunday, October 8, 2023.

This is Ms. Simpsons first offense in 2023.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

RULING #224

DATE: 10/11/2023

NAME: Thomas L. VanBerg

DOB: 02/05/1969

PERMIT: # 66613 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Thomas L. VanBerg is hereby fined one hundred (\$100.00) dollars for violation of WV Rule of Racing 178-1-1.44.1 "its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the steward's satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race."

Mr. VanBerg failed to have the foal registration papers on file with the Racing Secretary's office for the horse "Knights Cross" for the running of the 7th race on Monday, October 9, 2023, (Starter Allowance), necessitating a late scratch.

This is Mr. VanBerg's first offense in 2023.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

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RULING #225

DATE: 10/11/2023

NAME: Marcus Kocijan

DOB: 07/09/1974

PERMIT: # 65796 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Marcus Kocijan is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Kocijan failed to have the horse "Chargina" present in the paddock for the 5th race on Tuesday October 10, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Chief Steward

Steward

Way.

The horse "Mambo Kitten" is disqualified from all purse monies and the purse is to be redistributed as follows:

- 1st) Queen of Class
- 2nd) Chorist
- 3rd) Crosstown Girl
- 4th) OK Baby
- 5th) Native Valley
- 6th) Egg Nog
- 7th) Here Comes Lovie

The horseman's bookkeeper is requested to make the necessary adjustments.

All fines are to be paid within seven (7) days of imposition as per West Virginia Rule of Racing 178-1-8.5.N.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Steward

Steward

Steward

RULING #226

DATE: October 16, 2023

TO: Hugo Andrade

DOB: 03/09/1974

PERMIT #: 64223 Owner/Trainer

The Stewards hereby impose the following penalty:

Industrial Laboratories reported sample #E609393 taken from the horse "Mabo Kitten" which finished 1st in the 5th race on Sunday, September 24, 2023, did contain Dexamethasone confirmed in blood (55.6 pg/ml.) The measurement of uncertainty for the method is (0.7 pg/ml) at the (5 pg/ml) threshold. Dexamethasone is a class 4 drug carrying a C penalty.

Mr. Andrade waived his right to a hearing and elected not to send a split sample. The Board of Stewards concludes that Mr. Andrade has violated section 178-1-49.4.a.2 of the Thoroughbred Racing Rule, 178 C.S.R.1. This medication/prohibited substance violation is the permit holder's first violation in a 365-day period for medication/prohibited substance carrying a C penalty. The permit holder has accumulated (0) zero points under the multiple medication violation point system prior to this ruling. The points assessed for this medication/prohibited substance violation is one (1) point, giving a total of one (1) point pursuant to section 178-1-49.3.m of the Thoroughbred Racing Rules.

Based on the guidelines set forth in table 178-1 of the Thoroughbred Racing Rules, the Board of Stewards hereby fine Mr. Andrade one thousand (\$1,000.00) dollars.

RULING

RULING #227

DATE: 10/16/2023

NAME: Tara Reffner

DOB: 02/03/1977

PERMIT: #62156 Trainer

The Stewards hereby impose the following penalty:

Trainer Tara Reffner is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.g. "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Ms. Reffner failed to have the horse "Saint Foxy" present in the paddock for the 4th race on Sunday, October 15, 2023, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Steward

Steward

Steward

RULING #228

DATE: 10/16/2023

NAME: Victor Rodriguez

DOB: 07/12/1981

PERMIT #: 65524 Jockey

The Stewards hereby impose the following penalty:

Jockey Victor Rodriguez is hereby suspended for failure to pay his fine for ruling # 133, dated 07/26/2023, in the amount of one hundred (\$100.00) dollars.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.

Steward

Steward

Steward