

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
RULING

RULING #281

DATE: 12/04/2023

NAME: Jose M. Davila

DOB: 08/16/1983

PERMIT: # 65716 Jockey


The Stewards hereby impose the following penalty:

After a race review in the Steward's stand on Sunday, December 3, 2023, the Board of Stewards hereby finds Jockey Jose Davila 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 Wednesday, November 29, 2023. Mr. Davila waived his right to attend race review and is accepting the Stewards finding.

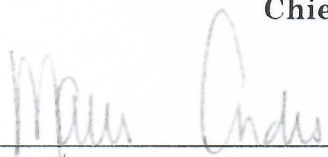
Mr. Davila is hereby fined one hundred (\$100.00) dollars. This is Mr. Davila's 1st offense in 2023.

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



Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #282

DATE: 12/05/2023

NAME: Samuel Jiminez

DOB: 08/22/1974

PERMIT: # 63238 Jockey

The Stewards hereby impose the following penalty:

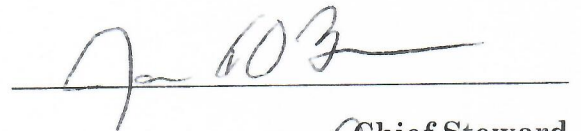
After a race review in the Steward's stand on Monday, December 4, 2023, the Board of Stewards hereby find Jockey Samuel Jiminez in violation of WV Rule of Racing 178-1-45.7.f.5.A. (Use the crop more than six (6) times during the race) 8th race on Sunday, December 3, 2023.

Mr. Jiminez is hereby fined one hundred (\$100.00) dollars. This is his second offense at Mountaineer Racetrack for 2023.

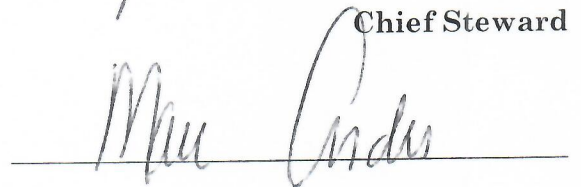
Mr. Jiminez was not present for the race review. He was represented by Jockey Eddie Jurado

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.

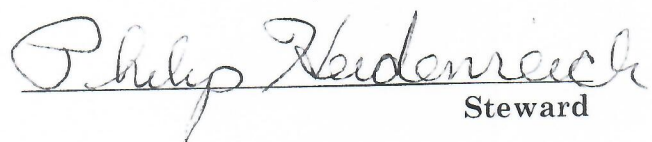
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.



Chief Steward



Steward



Steward

Signature of receipt

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #283

DATE: 12/12/2023

NAME: Kyle Gilbert

DOB: 03/01/1996

PERMIT: # 65701 Jockey

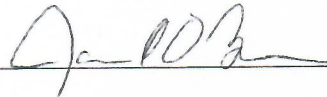
The Stewards hereby impose the following penalty:

After a race review in the Steward's stand, the Board of Stewards hereby finds Jockey Kyle Gilbert 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, December 10, 2023.

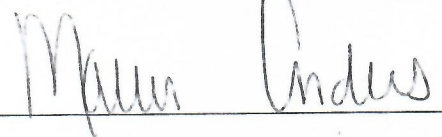
Mr. Gilbert is hereby fined one hundred (\$100.00) dollars. This is his first offense for 2023 at Mountaineer Park.

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 #284

DATE: 12/13/2023

TO: Paul Melancon

DOB: 12/04/1966

PERMIT #: 66940 Owner/Trainer

The Stewards hereby impose the following penalty:

Industrial Laboratories reported sample #E586309 taken from the horse "C C's World" which finished 2nd in the 3rd race on Wednesday, November 22, 2023, did contain Dexamethasone confirmed in blood (140 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. Melancon waived his right to a hearing and elected not to send a split sample. The Board of Stewards concludes that Mr. Melancon 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. Melancon one thousand (\$1,000.00) dollars.

The horse "C C's World" is disqualified from all purse monies and the purse is to be redistributed as follows:

- 1st) Ayy Ladies
- 2nd) Babka
- 3rd) Gorilla Girl
- 4th) Myra Fleener
- 5th) Iron Wilma

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.

Joe 102
Steward

Man Andis
Steward

Philip Henderson
Steward

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING #285

DATE: 12/13/2023

TO: Andrew Tumblin

DOB: 03/20/1979

PERMIT #: 66096 Trainer

The Stewards hereby impose the following penalty:

Industrial Laboratories reported sample #E586601 taken from the horse "El Bandido" which finished 1st in the 1st race on Sunday, December 3, 2023, did contain Methocarbamol confirmed in blood at (3.17 ng/ml.) The measurement of uncertainty of the method is (0.18 ng/ml) at the threshold of (1 ng/ml.) Methocarbamol is a class 4 drug carrying a C penalty.

Mr. Tumblin waived his right to a hearing and elected not to send a split sample. The Board of Stewards concludes that Mr. Tumblin 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) point 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. Tumblin one thousand (\$1,000.00) dollars.

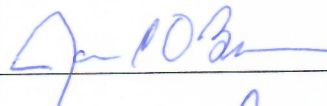
The horse "El Bandido" is disqualified from all purse monies and the purse is to be redistributed as follows:

- 1st) Blanton
- 2nd) Standinginthefire
- 3rd) Two More Shots
- 4th) Mr Harry
- 5th) Spy Town
- 6th) American Moon
- 7th) Brazilian Sea
- 8th) Cosmic Connection

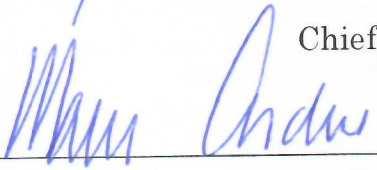
The horseman's bookkeeper is requested to make the necessary adjustments.

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

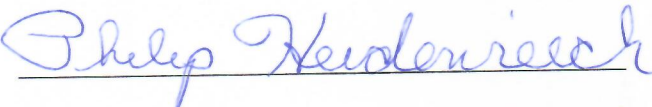
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.



Chief Steward



Steward



Steward

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK

RULING #286

DATE: 12/13/2023

TO: Andrew Tumblin

DOB: 03/20/1979

PERMIT #: 66096 Trainer

The Stewards hereby impose the following penalty:

Industrial Laboratories reported sample #E586603 taken from the horse "Pearlintherough" which finished 3rd in the 3rd race on Sunday, December 3, 2023, did contain Methocarbamol confirmed in blood at (2.32 ng/ml.) The measurement of uncertainty of the method is (0.18 ng/ml) at the threshold of (1 ng/ml.) Methocarbamol is a class 4 drug carrying a C penalty.

Mr. Tumblin waived his right to a hearing and elected not to send a split sample. The Board of Stewards concludes that Mr. Tumblin 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 one (1) point 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 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. Tumblin one thousand (\$1,000.00) dollars.

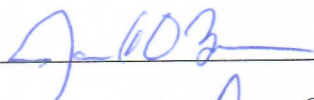
The horse "Pearlintherough" is disqualified from all purse monies and the purse is to be redistributed as follows:

- 1st) She is Royalty
- 2nd) C C's World
- 3rd) Babka
- 4th) You're a Dandy
- 5th) Gorilla Girl
- 6th) Myra Fleener

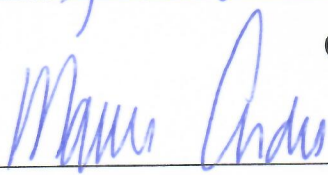
The horseman's bookkeeper is requested to make the necessary adjustments.

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

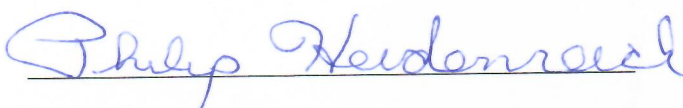
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.



Chief Steward



Steward



Steward

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
RULING

RULING #287

DATE: 12/20/2023

NAME: Tyrone Nelson

DOB: 12/20/1984

PERMIT: # 63840 Jockey

The Stewards hereby impose the following penalty:

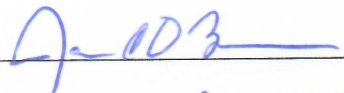
After a race review in the Steward's stand, the Board of Stewards hereby find Jockey Tyrone Nelson in violation of WV Rule of Racing 178-1-45.7.f.5.A. (Use the crop more than six (6) times during the race), 4th race on Monday, December 11, 2023. Mr. Nelson was present for the race review.

Mr. Nelson is hereby suspended three (3) Mountaineer Park race days, effective, Sunday, April 28, Monday, April 29, and Tuesday, April 30, 2024. This is his fifth offense at Mountaineer Park for 2023.

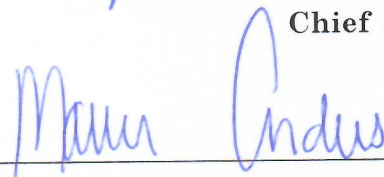
Per Rule 178-1-28.1.f, while suspended Mr. Nelson may gallop.

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.

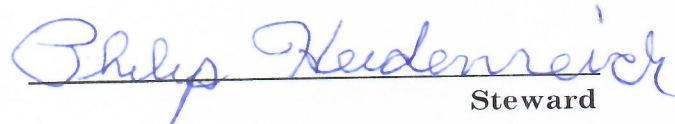
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.



Chief Steward



Steward



Steward

BEFORE THE BOARD OF STEWARDS

MOUNTAINEER RACETRACK

RULING

RULING #288

DATE: 12/13/2023

NAME: Jose A Bracho

DOB: 07/21/1997

PERMIT: # 66954 Jockey

The Stewards hereby impose the following penalty:

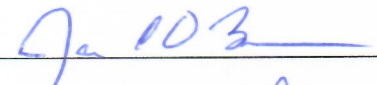
After a race review in the Stewards stand on Tuesday, December 12, 2023, the Board of Stewards find Jockey Jose A Bracho in violation of WV Rule of Racing section 178-1-45.7.b.1 "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horse in the race." And 178-1-45.7.b.2 "No jockey shall carelessly or willfully jostle, strike or touch another jockey or another jockey's horse or equipment." Mr. Bracho was present for the race review.

Mr. Bracho is hereby suspended three (3) Mountaineer Park race days effective, Sunday, April 28, Monday, April 29, and Tuesday, April 30, 2024. Per rule 178-1-28.1.f, while suspended, Mr. Bracho may gallop.

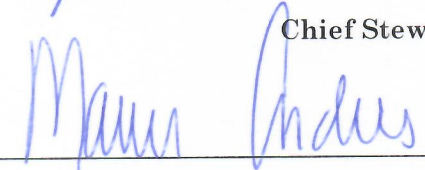
Mr. Brach's mount #7 "Baytown Cat" drifted in slightly into the path of the #6 "Lupita" shortly after the start of the 3rd race on Monday, December 11, 2023, causing his rival to "clip heels". Mr. Bracho's mount was disqualified from 2nd and placed 5th.

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.

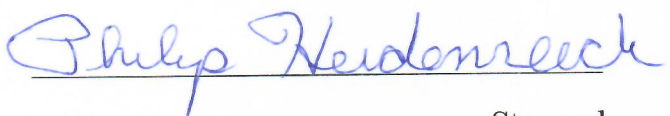
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.



Chief Steward



Steward



Steward

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
RULING

RULING #289

DATE: 12/13/2023

NAME: Eric Reed

DOB: 09/12/1964

PERMIT: # 62268 Trainer

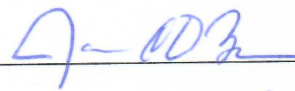
The Stewards hereby impose the following penalty:

Trainer Eric Reed 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."

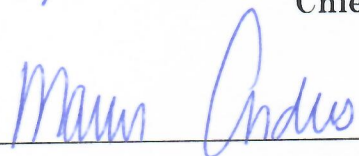
Mr. Reed failed to have the horse "Mimi's Golden Ring" present in the paddock for the 7th race on Wednesday, December 13, 2023, necessitating a late scratch.

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.

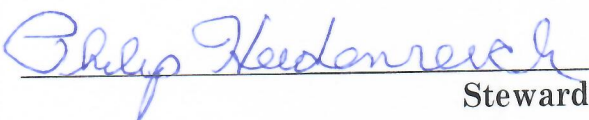
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of \$500.00.



Chief Steward



Steward



Steward

BEFORE THE BOARD OF STEWARDS
MOUNTAINEER RACETRACK
RULING

RULING #290

DATE: 12/26/2023

NAME: James L. Adams

DOB: 8/21/1985

PERMIT #: 65615 Apprentice Jockey

The Stewards hereby impose the following penalty:

Apprentice Jockey James Adams is hereby suspended for failure to pay his fine totaling three hundred (\$300.00) dollars.

234 10/18/2023 \$300.00

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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Chief Steward

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Steward