

**RULING #1**

Apprentice Jockey, **Erick Fuentes**, Permit: #77544, DOB: 11/15/1995 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey **Fuentes** let his mount "**River Malbumoonrv**" drift out near the eighth pole bumping with "**Lucky One**" and carrying that rival out down the stretch in the **Sixth Race, Thursday, January 2, 2025**.

**"River Malbumoonrv"** was disqualified from **Second (2<sup>nd</sup>)** and placed **Seventh (7<sup>th</sup>)**

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **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 this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS PARTIDA**

CHARLES TOWN RACES

STEWARDS RULING


JANUARY 17, 2025

**RULING NUMBER #2**

Jockey, **Orlando Bocachica**, Permit #74639 DOB 06/17/1981 is hereby fined Fifty (\$50.00) Dollars for being late to the paddock in the **Fifth Race on Thursday, January 16, 2025**.

All fines imposed by the Stewards, shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards.

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 Five Hundred (\$500.00) Dollars.

**BY ORDER OF THE STEWARDS:**  
DENVER K. BECKNER  
ROY S. CAVE  
CARLOS A. PARTIDA

CHARLES TOWN RACES

STEWARDS RULING

JANUARY 17, 2025

**RULING #3**

Apprentice Jockey, **Anthony Radcliffe** Permit #72427 DOB; 12/31/1993 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

Jockey **Radcliffe** failed to make his reported weight on **Thursday, January 16, 2024**.

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 this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

**BY ORDER OF THE STEWARDS:****DENVER K. BECKNER****ROY S. CAVE****CARLOS PARTIDA**

CHARLES TOWN RACES

STEWARDS RULING

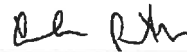
JANUARY 17, 2025

**RULING #4**

Apprentice Jockey, **Darwin Rodriguez**, Permit #75027 DOB; 06/06/1985 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

Jockey **Rodriguez** failed to make his reported weight on **Thursday, January 16, 2024**.

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 this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

**BY ORDER OF THE STEWARDS:****DENVER K. BECKNER****ROY S. CAVE****CARLOS PARTIDA**

**RULING #5**

Jockey, **Arnaldo Bocachica**, Permit: #74968, DOB: 06/20/1988 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey **Bocachica** let his mount "**Rolly**" drift out nearing the wire, taking the room away from "**He's a Commissioner**" causing his rider to take up in the **Second Race, Thursday, January 23, 2025**.

**"Rolly" was disqualified from Second (2<sup>nd</sup>) and placed Third (3<sup>rd</sup>)**

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **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 this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS PARTIDA**

**RULING #6**

Jockey, **Marshall Mendez**, Permit: #74651, DOB: 08/28/1995 is hereby fined **\$250.00 (TWO HUNDRED FIFTY DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey, **Mendez's** mount "**De's Castle**" ducked in sharply near the quarter pole causing "**Rocking to Home**" to take up and unseat his rider in the **Eighth Race, Thursday, January 23, 2025**.

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **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 this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS A. PARTIDA**

**RULING #7**

Owner/Trainer **Stephen W. Murdock**, Permit #74339, DOB 07/03/1987, is hereby fined **Two Hundred Dollars (\$200.00)** for not having his horse, "Here's a Quarter" in the paddock at the appointed time for the running of the **First (1<sup>st</sup>) Race on Friday February 7, 2025**, Per Rule of Racing #178-1-26.3.g, which states "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."

All fines imposed by the stewards shall be paid to the Racing Commission within (7) Calendar days after the ruling is issued, unless otherwise ordered by the stewards.

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 Five (\$500.00) Hundred.

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS A. PARTIDA**

**RULING NUMBER #8**

Owner/Trainer, **Toschia Spriggs**, Permit #75108; DOB 5/11/1968, is hereby fined **Two Hundred (\$200) Dollars** for violation of West Virginia Rule of Racing Number **178-1-44.16.**, which reads in part: **“A horse is ineligible to start in a race: when there is no current test certificate for Equine Infectious Anemia (EIA) attached to its breed registration certificate or proof of a negative test certificate is not otherwise available.”**

**Ms. Spriggs** failed to provide a valid coggins test for the horse, **“Montauk Daddy”** in the **Eighth (8<sup>th</sup>) Race on Saturday, February 8, 2025**, necessitating a late scratch.

All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per 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 this ruling and must include a security fee in the amount of Five-Hundred (\$500.00) Dollars.

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS A. PARTIDA**



**RULING #9**

Apprentice Jockey, **Anthony Radcliffe**, Permit: #72427, DOB: 12/31/1993 is hereby **suspended three days, Thursday February 20, Friday February 21, and Saturday February 22, 2025** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey **Radcliffe** let his mount "**Direct Appeal**" drift out near the eighth pole taking the room away from "**Love is Wicked**" causing his rider to take up, bumping and interfering with "**Big Bad Brass**" in the **Fourth Race, Thursday, February 13, 2025**.

**"Direct Appeal" was disqualified from First (1<sup>st</sup>) and placed Sixth (6<sup>th</sup>)**

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **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 this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**

  
**ROY S. CAVE**

**CARLOS PARTIDA**

**RULING #10**

Jockey, **Darius Thorpe**, Permit: #72991, DOB: 5/08/1995 is hereby **suspended three days, Thursday February 27, Friday February 28, and Saturday March 1, 2025** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey **Thorpe** let his mount "**Super Bourbon**" drift in near the sixteenth pole taking the room away from "**Brd Computing**" causing his rider to clip heels with that rival and to be unseated, in the **Fourth Race, Wednesday, February 19, 2025**.

"**Super Bourbon**" finished directly in front of the fallen horse, leading to no disqualification.

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **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 this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS PARTIDA**

**RULING #11**

Jockey, **Darius Thorpe**, Permit: #74991, DOB: 05/08/1995 is hereby fined **\$200.00 (TWO HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-24.15**, which reads in part. Failure to cooperate shall be a violation of this rule and shall subject a permit holder to discipline by the stewards and/or the Racing Commission up to and including revocation of his or her permit.

Jockey **Thorpe** failed to appear at the movies to review the **Fourth Race, Thursday February 19, 2025**.

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **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 this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS A. PARTIDA**

**RULING #12**

Jockey, **Justin M. Lewis**, Permit: #77805, DOB: 09/19/2000 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey **Lewis** let his mount "**Missionary**" drift in turning for home, taking the room away from "**Estrella Fugaz**" causing his rider to take up in the **Second Race, Friday, March 7, 2025**.

**"Missionary" was disqualified from Second (2<sup>nd</sup>) and placed Fourth (4<sup>th</sup>)**

All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **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 this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS PARTIDA**

**RULING NUMBER #13****Trainer Timothy C. Kreiser****Permit #77960**

On **March 19, 2025** the Board of Stewards convened a hearing for **Trainer, Timothy C. Kreiser, Permit #77960 DOB 10/23/1963**. The official blood sample **#E565705** taken from the horse **"Alvy"** which finished **1<sup>st</sup> in the 7<sup>th</sup> race on Friday, January 24, 2025**, did contain **"Gabapentin"** at a concentration level of **5.7 ng/mL**. **Gabapentin** is a **Class 3** drug with a **Category B** penalty.

The Board of Stewards find the following:

Pursuant to **178 W. Va. C.S.R. 1, section 24.11.o**, the Stewards are authorized to take disciplinary action against a permit holder for violating any provision of the Thoroughbred Racing Rule. Pursuant to section **51.1.1a, of the Thoroughbred Racing Rule, 178 W.Va.C.S.R.1**: "The trainer is the absolute insurer of and responsible for the condition of the horses he or she enters in an official workout or a race, regardless of the acts of third parties. If testing or analysis of urine, blood or other bodily substances or tissues prove positive showing the presence of any prohibited drug, medication or substance, the trainer of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined. In addition, the owner of the horse, the foreman in charge of the horse, the groom, and any other person shown to have had the care, attendance of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined."

Pursuant to **178 W. Va. C.S.R. 1, section 49.4.a.2.**, a finding by a Racing Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse, and in the case of a post-race test, was present in the horse's body while it was participating. Prohibited substances included controlled therapeutic medications in excess of established threshold concentrations as set forth in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule, Version 2.1., contained in Table 178-1 F of the Thoroughbred Racing Rule.

Pursuant to **178 W. Va. C.S.R. 1, Table 178-1 F**, there is no post-race threshold for **Gabapentin in urine or level of detection in plasma or serum**. Because of the presents of **Gabapentin in "Alvy" Mr. Kreiser** may be held responsible and his or her occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The **Gabapentin** positive in **"Alvy"** is **Mr. Kreiser's First Offense** for a medication/substance violation carrying a **Category B** penalty in a 365 days period.

The permit holder has **0 points** under the multiple medication violation point system. **Mr. Kreiser** is assessed **4 points** for this **Gabapentin** medication/substance violation pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1**.

The penalty guidelines set forth in **Table 178 1 E** of the Thoroughbred Racing Rule provide a minimum penalty of a **\$500 fine, 15 day Suspension and loss of purse**, for a **First Offense Class 3** violation carrying a **Category B**. The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section 49.1 of the Thoroughbred Racing Rule:

- 1. (Mitigating) The Permit holders past record:** The permit holder's past record indicates this is his first violation carrying a **Category B** penalty in his lifetime. This is his first medical violation of any kind since 2010. This is a mitigating factor.
- 2. (Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d. **Class 3** drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication; to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it races, and to ensure the integrity of racing so that horse aren't racing under the effect of a medication that could affect performance.]
- 3. (Mitigating) The legal availability of the drug: Gabapentin** is legally available.

4. **Whether there is reason to believe the permit holder knew of the administration of the drug or intentional administered the drug:** The permit holder knew nothing of the administration of the drug, nor the circumstances under which the drug may have been given. Therefore this factor is considered in weighing the penalty in this case.
5. **The steps taken by the trainer to safeguard the horse:** In this case it is unknown what efforts the trainer made to ensure that the treatment of the horse. Therefore this factor is not considered in weighing the penalty in this case.
6. **The probability of environmental contamination exposure due to human use:** This factor is not applicable to this case.
7. **The purse of the race:** The race in question was a **Starter Optional Claiming** race with a **\$20,600 purse**. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case.
8. **Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** Mr. Kreiser claims that this horse "Alvy" was not being treated with "Gabapentin" therefore, this factor is considered in weighing the penalty in this case.
9. **Whether there was any suspicious betting pattern in the race:** There is no evidence of a suspicious betting pattern in this case and therefore, this factor is not considered in weighing the penalty in this case.
10. **Whether the trainer was acting under the advice of a veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** Mr. Kreiser stated that he has never used or had any of his horses treated with Gabapentin. Therefore, this factor is considered in weighing the penalty in this case.

Based on the findings and **WV Rule of Racing 178-1-49.2.d Gabapentin** is a medication which is a **Class 3** with a **B Penalty**. Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. Kreiser's horse "Alvy" will be disqualified from all purse monies and Mr. Kreiser will have a total of 4 points on his record.** With the "Gabapentin" positive being the first medication violation in 365 days, and due to the presence of mitigating circumstances the Board of Stewards imposes **15 days suspension** of Mr. Kreiser's license and fined **(\$500.00) Five hundred dollars**, The suspension is stayed under the stipulation that Mr. Kreiser will not have another **Class B violation through September 19, 2025. (180 days)**, or the **15 days suspension** will accompany any fines or suspensions for additional violations.

The horse "Alvy" is disqualified from all purse money. The distribution is as follows.

1. #4 Pit Stop Man
2. #3 Zen Master
3. #7 Al Loves Josie
4. #2 Subject to Change
5. #8 Ridiculous
6. #6 Battle of Bastogne

All fines imposed by the Stewards shall be paid to the Racing Commission within **Seven (7) days** after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia 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 this ruling and must include a security fee in the amount of **Five Hundred (\$500.00) Dollars**.

BY ORDER OF THE STEWARDS



DENVER K. BECKNER



ROY S. CAVE



CARLOS A. PARTIDA