

RULING #112**Owner/Trainer, Busundra C. Armstrong****Permit #59870**

On **June 8, 2023**, the Board of Stewards offered a hearing to **Owner/Trainer, Busundra C. Armstrong, Permit #59870, DOB 16/16/1981** to which she waived her right to a hearing regarding a medication violation pertaining to her horse **"Last Party"** who finished first (1st) in the Fifth (5th) race on Thursday May 18, 2023.

The Stewards hereby find the following:

The official blood sample **#E576975**, taken on **5/18/23** was reported by **Industrial Laboratories**, the official testing laboratory, to contain **Dexamethasone** which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for **Dexamethasone** is **5 pg/mL** in blood. Sample **#E576975** contained **10.5 pg/mL** of the drug, which is above the permissible threshold for this drug. The sample was taken from the **Three (3) "Last Party"**, which ran in the **5th Race on 05/18/23, finishing First (1st)**.

Ms. Armstrong elected to have a split sample tested. The split **#E576975** was sent to **New York Drug Testing and Research Program** and was received on **06/15/2023** and reported on **06/26/2023**. Sample **#E576975** contained **10.8 pg/ml** which is above the permissible level for this drug, confirming the presences of the drug **Dexamethasone**.

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**, the post-race threshold for **Dexamethasone** is **5 pg/mL** in the blood. Because the amount of **Dexamethasone** in **"Last Party"**, exceeded the acceptable threshold set forth in **Table 178-1 F**, **Ms. Armstrong** may be held responsible and her occupational permit disciplined pursuant to **178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.**

The **Dexamethasone** positive in **"Last Party"**, is **Ms. Armstrong's First Offense** in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated **0 points** under the multiple medication violation point system as a result of the issuance of. **Ms. Armstrong** is assessed **.5 points** for this **Dexamethasone** medication/substance violation pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1.**

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 holder's past record:** The permit holder has no violations in the last 365 days
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 4 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: Dexamethasone 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the permit holder knew of the administration of the drug, or the circumstances under which the drug may have been given. Therefore this factor is not considered in weighing the penalty in this case.
5. **The probability of environmental contamination exposure due to human use:** This factor is not applicable to this case.
6. **The purse of the race:** The races in question was a **Maiden** race with a **\$29,400** purse. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case
7. **Whether the drug found was one for which the drug 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:** It was not established whether or not the horse was being treated by a veterinarian with **Dexamethasone**. Therefore, this factor is not considered in weighing the penalty in this case.
8. **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.
9. **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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated with **Dexamethasone** by a veterinarian. Therefore, this factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Ms. Armstrong's horse "Last Party", will be disqualified from all purse money and will have a total of .5 points on her record.**

Ms. Armstrong will be fined One Thousand Dollars (\$1000.00) and assessed ½ point.

"Last Party" is disqualified from all purse money; Re-Distribution is as following.

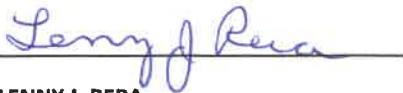
1. #9 Comeonturnmeloose
2. #8 Lieutenant Brown
3. #1 King of Luck
4. #4 Uncle Press
5. #7 Moon Fall
6. #5 Callisto's Brigade

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 \$500.00

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



LENNY J. RERA



L. ROBERT LOTTS

RULING #113

Jockey, **Marshall J. Mendez**, Permit #56169 DOB: 08/28/1995 is fined **Two Hundred Dollars (\$200.00)** 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 **Mendez** failed to make his reported weight on **Friday June 30, 2023**.

Jockey **Mendez** is a **repeat offender**.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #114

Apprentice Jockey, **Axel Concepcion** Permit #60757 DOB: 03/16/2005 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 **Concepcion** failed to make his reported weight on **Friday June 30, 2023**.

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #115

Jockey **Juan Mauricio Nunez**, Permit #59521, DOB 7/15/1999, is hereby fined **Two Hundred Dollars (\$200.00)** 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 **Nunez** failed to make his reported weight on **Friday July 7, 2023**.

Jockey **Nunez** is a repeat offender of this rule.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #116

Jockey, **Orlando Bocachica**, Permit; #56511, DOB 06/17/1987 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's** mount "**Vieste**" drifted in past the eighth pole and came out mid-stretch while not clear and caused interference to "**Juniper Grace**" in the **First Race, July 8, 2023**.

"**Vieste**" was **disqualified** from **Third (3rd)** and placed **Fourth (4th)**.

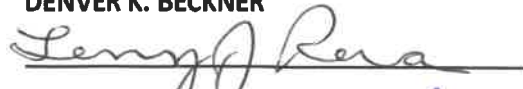
All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n**.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #117

Jockey, **Walter Cullum**, Permit #55545 DOB 08/21/1973 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Cullum** used his crop excessively in **Race 4** on **Thursday July 13, 2023.**

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:

A blue ink signature of Denver K. Beckner, written in a cursive style, positioned above a horizontal line.

DENVER K. BECKNER

A blue ink signature of Lenny J. Rera, written in a cursive style, positioned above a horizontal line.

LENNY J. RERA

A blue ink signature of L. Robert Lotts, written in a cursive style, positioned above a horizontal line.

L. ROBERT LOTTS

RULING #118

Apprentice Jockey, **Axel Concepcion** Permit #60757 DOB: 03/16/2005 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 **Concepcion** failed to make his reported weight on **Friday July 14, 2023**.

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:

A blue ink signature of Denver K. Beckner, written in a cursive style.

DENVER K. BECKNER

A blue ink signature of Lenny J. Rera, written in a cursive style.

LENNY J. RERA

A blue ink signature of L. Robert Lotts, written in a cursive style.

L. ROBERT LOTTS

RULING #119

Jockey, **Orlando Bocachica** Permit #56511 DOB: 06/17/1987 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 **Bocachica** failed to make his reported weight on **Saturday July 15, 2023**.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #120

Jockey, **Marshall J. Mendez**, Permit: #56169, DOB: 08/28/1995 is hereby **suspended three racing days, Thursday July 27, Friday July 28, and Saturday July 29, 2023** 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** let his mount "**Red Hot Toddy**" angle in leaving the far turn, pushing "**De's Castle**" down taking the room away from "**Monkey Wrench**" causing his rider to clip heels and fall in the **First Race, Saturday July 15, 2023**.

"Red Hot Toddy" was disqualified from Third (3rd) and placed Fifth (5th)

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.

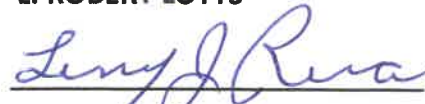
BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



L. ROBERT LOTTS



LENNY J. RERA

RULING #121

Jockey, **Jean Briceno**, Permit; #58896, DOB 10/27/1996 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."

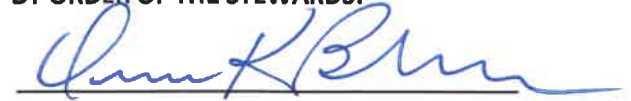
Jockey **Briceno** let his mount "**Gilligan**" drift out nearing the wire while not clear and caused interference to "**We B Shackin**" in the **Eighth Race, July 21, 2023**.

"**Gilligan**" was disqualified from **First (1st)** and placed **Fourth (4th)**.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #122

Assistant Trainer, **Greg Harvey**, Permit #59957, DOB 02/04/1972, having been afforded a Board of Stewards hearing on **July 25, 2023** is hereby found guilty and is hereby fined **Two Hundred and Fifty Dollars (\$250.00)** for being in violation of rule **#178-1-24.11.f** which reads, “**has disturbed the peace on Association Grounds**”, by being in verbal and physical altercation at **Barn 17** on **July 18, 2023**.

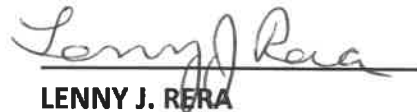
All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per Rule of Racing Number **178-1-8.5.n**.

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:

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DENVER K. BECKNER

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LENNY J. RERA

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L. ROBERT LOTTS

RULING #123

Owner, **Orlando Rodriguez**, Permit #58966, DOB 10/20/1986, having been afforded a **Board of Stewards** hearing on **July 25, 2023** is hereby found guilty and is hereby fined **Two Hundred and Fifty Dollars (\$250.00)** for being in violation of rule **#178-1-24.11.f** which reads, "**has disturbed the peace on Association Grounds**", by being in verbal and physical altercation at **Barn 17** on **July 18, 2023**.

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:

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LENNY J. RERA

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L. ROBERT LOTTS

RULING #124

Jockey, **Fredy Peltroche**, Permit; #62074, DOB 02/07/1977 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 **Peltroche's** mount "**Heretodaygonmanana**" came in past the quarter pole while not clear and caused interference to "**Blue Mountain**" in the **Sixth Race, July 28, 2023**.

"**Heretodaygonmanana**" was disqualified from **Second (2nd)** and placed **Fourth (4th)**.

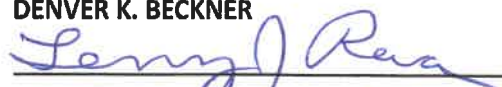
All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n**.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #125

Jockey, **Orlando Bocachica**, Permit #56511 DOB 06/17/1987 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Bocachica** used his crop excessively in **Race 1** on **Thursday August 3, 2023.**

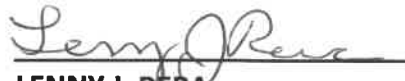
All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n.**

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #126

Jockey, **Carlos E. Lopez** Permit #61654 DOB; 03/06/1991 is fined **Two Hundred Dollars (\$200.00)** 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 **Lopez** failed to make his reported weight on **Thursday August 3, 2023**.

Jockey **Lopez** is a repeat offender.

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:

A blue ink signature of Denver K. Beckner, written in a cursive style.

DENVER K. BECKNER

A blue ink signature of Lenny J. Rera, written in a cursive style.

LENNY J. RERA

A blue ink signature of L. Robert Lotts, written in a cursive style.

L. ROBERT LOTTS

RULING #127

Jockey **Juan Mauricio Nunez**, Permit #59521, DOB 7/15/1999, is hereby fined **Two Hundred Dollars (\$200.00)** 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 **Nunez** failed to make his reported weight on **Friday August 4, 2023**.

Jockey **Nunez** is a repeat offender of this rule.

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

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LENNY J. RERA

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L. ROBERT LOTTS

RULING #128

Jockey, **Juan M. Nunez** Permit #56039 DOB 07/15/1999 is fined **One hundred dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

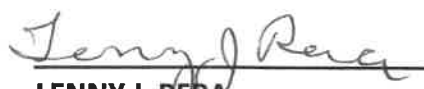
Jockey **Nunez** used his crop excessively in **Race 6** on **Friday August 4, 2023.**

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #129

Jockey, **Victor A. Rodriguez** Permit #56039 DOB 07/12/1981 is fined **Two Hundred Fifty dollars (\$250.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Rodriguez** used his crop excessively in **Race 6** on **Friday August 4, 2023.**

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #130

Apprentice Jockey, **Axel Concepcion** Permit #60757 DOB: 03/16/2005 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 **Concepcion** failed to make his reported weight on **Thursday August 17, 2023**.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #131

Jockey, **Orlando Bocachica** Permit #56511 DOB: 06/17/1987 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 **Bocachica** failed to make his reported weight on **Thursday August 17, 2023**.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #132

Jockey, **Alexis Rios-Conde**, Permit; #56211, DOB 08/18/1978 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 **Rios-Conde's** mount "**King of Luck**" drifted in mid-stretch while not clear and caused interference to "**Astrayal**" in the **Fourth Race, August 17, 2023**.

"**King of Luck**" was disqualified from **Fourth (4th)** and placed **Fifth (5th)**.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #133

Apprentice Jockey, **Axel Concepcion** Permit #60757 DOB: 03/16/2005 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 **Concepcion** failed to make his reported weight on **Thursday August 24, 2023**.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #134

Jockey, **Orlando Bocachica** Permit #56511 DOB: 06/17/1987 is fined **Two Hundred Dollars (\$200.00)** 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 **Bocachica** failed to make his reported weight on **Thursday August 24, 2023**.

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #135

Jockey, **Juan M. Nunez**, Permit #59521, DOB 07/15/1999 is hereby fined **(\$1000) One Thousand Dollars** per Rule of Racing, **178-1-28.3.a** which reads, "A Jockey shall give a best effort during a race, and each horse shall be ridden to win. A jockey shall not ease up on or coast to the finish, without reasonable cause, even if the horse has no apparent chance to win prize money. And **178-1-45.7.c** which reads, "All horses shall be ridden out past the finish line in every race. A jockey shall give a best effort during a race and each horse shall be ridden to win."

Jockey **Nunez** eased his mount "**It's a Real Honor**" coming to the wire in the third race (**3rd**) on **Thursday August 24, 2023** causing his horse to get beat on the wire.

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 **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 Five Hundred (\$500.00) Dollars.

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



LENNY J. RERA



L. ROBERT LOTTS

RULING #136

Jockey, **Christian Hiraldo** Permit #50961 DOB: 08/16/1992 is fined **Two Hundred Dollars (\$200.00)** 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 **Hiraldo** failed to make his reported weight on **Saturday August 26, 2023**.

Jockey **Hiraldo** is a repeat offender of this rule.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #137

Jockey, **Jason Simpson** Permit #56159 DOB: 07/16/1985 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.

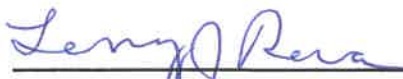
Jockey **Simpson** failed to make his reported weight on **Saturday August 26, 2023**.

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #138

Jockey **Juan Mauricio Nunez**, Permit #59521, DOB 7/15/1999, is hereby fined **Two Hundred Dollars (\$200.00)** 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 **Nunez** failed to make his reported weight on **Saturday August 26, 2023**.

Jockey **Nunez** is a repeat offender of this rule.

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


LENNY J. RERA


L. ROBERT LOTTS

RULING #139

Jockey, **James L. Adams**, Permit #54485 DOB 08/21/1985 is fined **One hundred dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond


Jockey **Adams** used his crop excessively in **Race 4** on **Thursday August 31, 2023.**

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #140

Jockey, **Juan (J.D.) De Dios Acosta** Permit: #59343, DOB: 10/03/1981 is hereby suspended **Thursday September 7, Friday September 8, Saturday September 9, 2023** 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, **Acosta** let his mount "**Calera Love**" angle in down the backstretch causing "**Linda's Taj**" to clip heels unseating her rider in the **Fourth Race, Friday September 1, 2023**.

"Calera Love" was disqualified from Second (2nd) and placed Fifth (5th)

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #141

Jockey **Juan Mauricio Nunez**, Permit #59521, DOB 7/15/1999, is hereby fined **Two Hundred Dollars (\$200.00)** 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 **Nunez** failed to make his reported weight on **Saturday September 2, 2023**.

Jockey **Nunez** is a repeat offender of this rule.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #142

Assistant Trainer, **Shawn K. Huet**, Permit #65415 DOB 10/08/1977, having been afforded a **Board of Stewards** hearing on **September 8, 2023** is hereby found guilty and is hereby fined **One Hundred Dollars (\$100.00)** for being in violation of rule **#178-1-24.11.f** which reads, "has disturbed the peace on Association Grounds", by being in verbal and physical altercation at **Barn 14** on **August 30, 2023**.

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #143

Jockey, **Roosevelt Woodson**, Permit #66037 DOB 07/05/1956, having been afforded a **Board of Stewards** hearing on **September 8, 2023** is hereby found guilty and is hereby fined **One Hundred Dollars (\$100.00)** for being in violation of rule **#178-1-24.11.f** which reads, "**has disturbed the peace on Association Grounds**", by being in verbal and physical altercation at **Barn 14** on **August 30, 2023**.

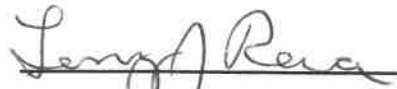
All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per Rule of Racing Number **178-1-8.5.n**.

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in black ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #144

Apprentice Jockey, **Axel Concepcion** Permit #60757 DOB: 03/16/2005 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 **Concepcion** failed to make his reported weight on **Thursday September 14, 2023**.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #145

Jockey, **Carlos Marrero** Permit #65630 DOB; 07/10/1984 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 **Marrero** failed to make his reported weight on **Thursday September 14, 2023**.

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.

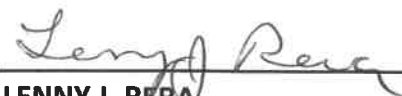
BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



L. ROBERT LOTTS



LENNY J. RERA

RULING #146

Jockey, **Jan Batista** Permit #62835 DOB; 12/28/1994 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 **Batista** failed to make his reported weight on **Thursday September 14, 2023**.

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



L. ROBERT LOTTS



LENNY J. RERA

RULING #147

Jockey, **Arnaldo Bocachica**, Permit #65611 DOB 06/20/1988 is fined **Five Hundred Dollars (\$500.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Bocachica** used his crop excessively in **Race 7** on **Thursday September 14, 2023.**
This is Jockey **Bocachica's seventh whip violation in 2023**

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



LENNY J. RERA



L. ROBERT LOTTS

CHARLES TOWN RACES

STEWARDS RULING

SEPTEMBER 29, 2023

RULING #148

Jockey, **Victor A. Rodriguez** Permit #65524 DOB; 07/12/1981 is fined **One Hundred (\$100.00) Dollars** 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 September 28, 2023.**

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L.ROBERT LOTTS

RULING #149

Apprentice Jockey, **James L. Adams** Permit #65615 DOB: 08/16/1992 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.

Apprentice Jockey **Adams** failed to make his reported weight on **Thursday September 28, 2023.**

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #150

Jockey, **Reshawn Latchman** Permit #65599 DOB; 05/25/1991 is fined **One Hundred (\$100.00) Dollars** 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.

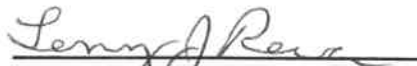
Jockey **Latchman** failed to make his reported weight on **Thursday September 28, 2023**.

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.

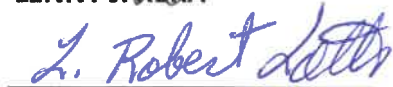
BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



LENNY J. RERA



L.ROBERT LOTTS

RULING #151

Jockey, **Richard A. Monterrey** Permit #61532 DOB; 03/04/1984 is fined **One Hundred (\$100.00) Dollars** 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 **Monterrey** failed to make his reported weight on **Thursday September 28, 2023**.

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



LENNY J. RERA



L.ROBERT LOTTS

RULING #152

Jockey, **Fredy Peltroche**, Permit #62074 DOB 02/07/1977 is fined **One hundred dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

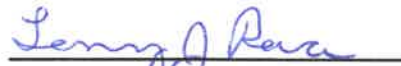
Jockey **Peltroche** used his crop excessively in **Race 3** on **Friday September 28, 2023.**

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:

A blue ink signature of Denver K. Beckner, written in a cursive style.

DENVER K. BECKNER

A blue ink signature of Lenny J. Rera, written in a cursive style.

LENNY J. RERA

A blue ink signature of L. Robert Lotts, written in a cursive style.

L. ROBERT LOTTS

RULING #153

Jockey, **Arnaldo Bocachica** Permit #65611 DOB: 06/20/1988 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 **Bocachica** failed to make his reported weight on **Friday September 29, 2023.**

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #154

Jockey, **Carlos E. Lopez** Permit #61654 DOB; 03/06/1991 is fined **Two Hundred Dollars (\$200.00)** 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 **Lopez** failed to make his reported weight on **Saturday September 30, 2023.**

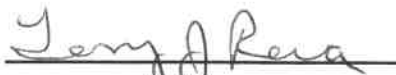
Jockey **Lopez** is a repeat offender.

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #155

Jockey, **Jan Batista** Permit #62835 DOB; 12/28/1994 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 **Batista** failed to make his reported weight on **Thursday October 5, 2023**.

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



L. ROBERT LOTTS



LENNY J. RERA

RULING #156

Jockey, **Orlando Bocachica** Permit #65739 DOB: 06/17/1987 is fined **Two Hundred Dollars (\$200.00)** 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 **Bocachica** failed to make his reported weight on **Thursday October 5, 2023**.

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



LENNY J. HERA



L. ROBERT LOTTS

RULING #157

Jockey, **Fredy Peltroche**, Permit; #62074, DOB 02/07/1977 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 **Peltroche's** mount "**Advance Cash**" came in past the half mile pole while not clear and causing interference to "**Cowboy At Heart**" in the **Sixth Race, September 30, 2023**.

"**Advance Cash**" was disqualified from First (1st) and placed Sixth (6th).

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #158

Owner/Trainer **Tina Malgarini-Mawing**, Permit #61426, DOB 11/24/1956, is hereby fined **Two Hundred Fifty Dollars (\$250.00)** for not having the horse, "**Uncaptured Ruby**" in the paddock at the appointed time for the running of the **Eighth (8th) Race on Thursday October 5, 2023** necessitating a late scratch, **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."

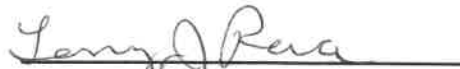
All fines imposed by the stewards shall be paid to the Racing Commission within (7) Calendar days after the ruling is issued, unless otherwise ordered by the stewards.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #159

Owner/Trainer **Donald C. Barber**, Permit #62587, DOB 04/06/1940, is hereby fined **Two Hundred Dollars (\$200.00)** for not having his horse, **"Make Way"** in the paddock at the appointed time for the running of the **Second (2nd) Race on Thursday October 12, 2023**, 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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #160

Jockey, **Lawrence C. Reynolds** Permit #62835 DOB; 12/28/1994 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 **Reynolds** failed to make his reported weight on **Thursday October 12, 2023**.

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



L. ROBERT LOTTS



LENNY J. RERA

RULING #161

Jockey **Juan Mauricio Nunez**, Permit #65373, DOB 7/15/1999, is hereby fined **Two Hundred Dollars (\$200.00)** 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 **Nunez** failed to make his reported weight on **Thursday October 12, 2023**.

Jockey **Nunez** is a repeat offender of this rule.


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


LENNY J. RERA


L. ROBERT LOTTS

RULING #162

Apprentice Jockey, **Abnel J. Bocachica**, Permit: #66179, DOB: 06/04/2004 is hereby **suspended three racing days, Thursday October 19, Friday October 20, and Saturday October 21, 2023** 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 "**Neverpopthecork**" angle out leaving the far turn, taking the room away from "**My Boy Clyde**" causing his rider to clip heels and fall in the **Sixth Race, Thursday October 12, 2023.**

"Neverpopthecork" was disqualified from Fifth (5th) and placed Sixth (6th)

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



L. ROBERT LOTTS



LENNY J. RERA

RULING #163

Jockey, **Orlando Bocachica** Permit #65739 DOB: 06/17/1987 is fined **Two Hundred Dollars (\$200.00)** 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 **Bocachica** failed to make his reported weight on **Thursday October 19, 2023**.

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #164

Jockey, **Christian Hiraldo** Permit #65530 DOB: 08/16/1992 is fined **Two Hundred Dollars (\$200.00)** 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 **Hiraldo** failed to make his reported weight on **Thursday October 19, 2023**.

Jockey **Hiraldo** is a repeat offender of this rule.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #165

Jockey, **Carlos E. Lopez**, Permit #61654 DOB 03/12/1981 is fined **Two Hundred Fifty Dollars (\$250.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Lopez** used his crop excessively in **Race 3** on **Friday October 20, 2023.**
This is Jockey Lopez's fourth offense.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #166

Jockey, **M. Anthony Mawing**, Permit #62715 DOB 03/14/1968 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Mawing** used his crop excessively in **Race 3** on **Friday October 20, 2023.**

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #167

Jockey, **Juan M. Nunez** Permit #65373 DOB 07/15/1999 is fined **Two Hundred Fifty dollars (\$250.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Nunez** used his crop excessively in **Race 8** on **Saturday October 21, 2023.**

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #168

Jockey, **Denis Araujo, Permit; #58647, DOB 10/28/1986** 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 **Araujo's** mount "**Likely Choice**" came in past the half mile pole while not clear and causing interference to "**Watch Me Disappear**" in the **Sixth Race, Thursday October 26, 2023**.

"**Likely Choice**" was **disqualified from Second (2nd)** and placed **Fourth (4th)**.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #169

Jockey, **Marshall Mendez**, Permit #65609 DOB 08/28/1995 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Mendez** used his crop excessively in **Race 5** on **Saturday October 28, 2023.**
This is Jockey Lopez's fourth offense.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #170

Jockey, **Orlando Bocachica** Permit #65739 DOB: 06/17/1987 is fined **Two Hundred Dollars (\$200.00)** 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 **Bocachica** failed to make his reported weight on **Saturday October 28, 2023**.

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #171

Jockey, **Angel Cruz** Permit #66347 DOB: 03/29/1995 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 **Cruz** failed to make his reported weight on **Wednesday November 1, 2023**.

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



LENNY J. BERA



L. ROBERT LOTTS

RULING #172

Apprentice Jockey, **Abnel J. Bocachica** Permit #66179 DOB: 06/04/2004 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 **Bocachica** failed to make his reported weight on **Wednesday November 1, 2023**.

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Lenny J. Reba", written over a horizontal line.

LENNY J. REBA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING NUMBER #173**Owner/Trainer Ronny W. Brown****Permit #62246**

On **November 9, 2023** the Board of Stewards convened a hearing for **Owner/Trainer, Ronney W. Brown, Permit #62246 DOB 3/29/1961**. The official blood sample **#E605277** taken from the horse **"Caribbean Pleasure"** which finished **1st** in the **1st** race on **Friday August 4, 2023**, did contain **"Clenbuterol"** at a concentration level of **1520 +/- 140 pg/ml**.

Mr. Brown elected to have a split sample tested. The split **#E605277** was sent to **Ohio Dept. of Agriculture Analytical Toxicology Laboratory** and was received on **09/21/2023** and reported on **11/06/2023**. Sample **#E605277** contained **1788 +/- 147 pg/ml** which is above the permissible level for this drug, confirming the presences of the drug **Clenbuterol**.

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**, the post-race threshold for **Clenbuterol** is **140 pg/ml in urine or level of detection in plasma or serum**. Because the amount of **Clenbuterol** in **"Caribbean Pleasure"** exceeded the acceptable threshold set forth in Table 178-1 F, **Mr. Brown** 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 **Clenbuterol** positive in **"Caribbean Pleasure"** is **Mr. Brown'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. Brown** is assessed **2 points** for this **Clenbuterol** 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**, for a **First Offense Class 3** violation carrying a **Category B** penalty of **Clenbuterol** at the level found in **"Caribbean Pleasure"** 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 the past 365 days. This is his first medical violation of any kind since 2017. 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: Clenbuterol 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 Maiden race with a \$27,400 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. Brown claims that this horse "Caribbean Pleasure" was not being treated with Clenbuterol. 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. Brown stated that he has never used or had any of his horses treated with Clenbuterol, since the withdrawal guidelines have changed to 14 days. 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 "Clenbuterol" is a therapeutic 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. Brown's horse "Caribbean Pleasure" will be disqualified from all purse monies and Mr. Brown will have a total of 2 points on his record. With the "Clenbuterol" 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. Brown's license and fined (\$1000) One Thousand dollars, The suspension is stayed under the stipulation that Mr. Brown will not have another violation through May 09, 2024. (180 days) He cannot have any medication violations, or the 15 days suspension will accompany any fines or suspensions for additional violations.

The horse "Caribbean Pleasure" is disqualified from all purse money; The distribution is as follows.

1. #5 Entry Time
2. #4 Honeyquist
3. #3 Allen Can Do It
4. #2 Buddy Buddy
5. #6 Fiber Strong

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #174

Jockey, **Jan Batista** Permit #62835 DOB; 12/28/1994 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 **Batista** failed to make his reported weight on **Thursday November 9, 2023**.

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

A handwritten signature in blue ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

RULING #175

Jockey, **Wilfredo Santiago**, Permit #65608 DOB 05/20/1988 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Santiago** used his crop excessively in **Race 6** on **Thursday November 9, 2023.**

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #176

Jockey, **James L. Adams**, Permit #65615 DOB 08/21/1985 is fined **One hundred dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Adams** used his crop excessively in **Race 6** on **Friday November 10, 2023.**

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #177

Jockey, **Victor A. Rodriguez** Permit #65524 DOB 07/12/1981 is fined **Five Hundred dollars (\$500.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond


Jockey **Rodriguez** used his crop excessively in **Race 6** on **Friday November 4, 2023.**
This is Jockey Rodriguez's 7th violation in 2023

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #178

Apprentice Jockey, **Abnel J. Bocachica**, Permit: #66179, DOB: 06/04/2004 is hereby fined **\$500.00 (FIVE HUNDRED)** 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 "**Ghostly Squal**" lug in down the stretch, taking the room away from "**Fancy Her Up**" causing her rider to take up in the **Sixth Race, Wednesday November 22, 2023**.

"Ghostly Squal" was disqualified from First (1st) and placed Second (2nd)

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



L. ROBERT LOTTS



DANNY R. WRIGHT

RULING #179

Jockey, **Gustavo Larrosa**, Permit #67520 DOB 09/02/1966 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Larrosa** used his crop excessively in **Race 5** on **Friday November 24, 2023.**

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Danny R. Wright", written over a horizontal line.

DANNY R. WRIGHT

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #180

Jockey **Juan Mauricio Nunez**, Permit #65373, DOB 7/15/1999, is hereby fined **Two Hundred Dollars (\$200.00)** 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 **Nunez** failed to make his reported weight on **Saturday November 25, 2023**.

Jockey **Nunez** is a repeat offender of this rule.

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #181

Jockey, **Luis Angel Batista**, Permit #66189 DOB 05/07/1990 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

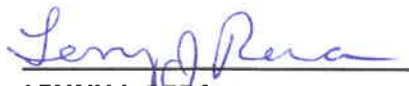
Jockey **Batista** used his crop excessively in **Race 2 on Wednesday November 29, 2023.**

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.

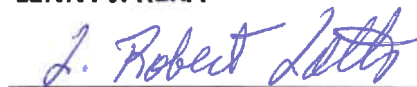
BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



LENNY J. RERA



L. ROBERT LOTTS

RULING #182

Owner/Trainer, Analia R. Gomez aka Larrosa

Permit #67519

On November 29, 2023, the Board of Stewards offered a hearing to Owner/Trainer, Analia R. Gomez, Permit #67519, DOB 10/11/1972 to which she waived her right to a hearing regarding a medication violation pertaining to her horse "Miss Argentina" who finished first (1st) in the Fifth (5th) race on Saturday November 4, 2023.

Ms. Gomez elected to not have a split sample tested

The Stewards hereby find the following:

The official blood sample #E605743, taken on 11/04/23 was reported by Industrial Laboratories, the official testing laboratory, to contain Dexamethasone which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for Dexamethasone is 5 pg/mL in blood. Sample #E605743 contained 21.9 pg/mL of the drug, which is above the permissible threshold for this drug. The sample was taken from the Two (2) "Miss Argentina", which ran in the 5th Race on 11/04/23, finishing First (1st).

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, the post-race threshold for Dexamethasone is 5 pg/mL in the blood. Because the amount of Dexamethasone in "Miss Argentina", exceeded the acceptable threshold set forth in Table 178-1 F, Ms. Gomez may be held responsible and her occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Dexamethasone positive in "Miss Argentina", is Ms. Gomez's First Offense in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated 0 points under the multiple medication violation point system as a result of the issuance of. Ms. Gomez is assessed .5 points for this Dexamethasone medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

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 holder's past record:** The permit holder has no violations in the last 365 days
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 4 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: Dexamethasone** 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the permit holder knew of the administration of the drug, or the circumstances under which the drug may have been given. Therefore this factor is not considered in weighing the penalty in this case.
5. **The probability of environmental contamination exposure due to human use:** This factor is not applicable to this case.
6. **The purse of the race:** The races in question was a **Maiden** race with a **\$26,500** purse. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case
7. **Whether the drug found was one for which the drug 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:** It was not established whether or not the horse was being treated by a veterinarian with **Dexamethasone**. Therefore, this factor is not considered in weighing the penalty in this case.
8. **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.
9. **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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated with **Dexamethasone** by a veterinarian. Therefore, this factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Ms. Gomez's horse "Miss Argentina", will be disqualified from all purse money and will have a total of .5 points on her record. Ms. Gomez will be fined One Thousand Dollars (\$1000.00) and assessed ½ point.**

"Miss Argentina" is disqualified from all purse money; Re-Distribution is as following.

1. #4 Right to Refuse
2. #1 She's a Brickhouse
3. #5 Machen Margaritas
4. #3 Baby Breeze
5. #6 Palacio

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 \$500.00

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



LENNY J. RERA



L. ROBERT LOTTS

RULING #183

Jockey, **Orlando Bocachica**, Permit #65739 DOB 06/17/1987 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Bocachica** used his crop excessively in **Race 5** on **Thursday November 30, 2023.**

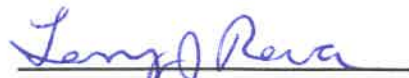
All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n.**

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:

A handwritten signature in blue ink, appearing to read "Denver K. Beckner", written over a horizontal line.

DENVER K. BECKNER

A handwritten signature in blue ink, appearing to read "Lenny J. Rera", written over a horizontal line.

LENNY J. RERA

A handwritten signature in blue ink, appearing to read "L. Robert Lotts", written over a horizontal line.

L. ROBERT LOTTS

RULING #184

Jockey, **Fredy Peltroche**, Permit #62074 DOB 02/07/1977 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Peltroche** used his crop excessively in **Race 5** on **Thursday November 30, 2023.**

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



LENNY J. RERA



L. ROBERT LOTTS

RULING #185

Jockey, **Luis Angel Batista**, Permit #66189 DOB 05/07/1990 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Batista** used his crop excessively in **Race 1** on **Thursday November 30, 2023.**

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



LENNY J. PERA



L. ROBERT LOTTS