

**BEFORE THE BOARD OF STEWARDS  
CHARLES TOWN RACE TRACK  
RULING-MEDICATION VIOLATION**

**RULING #1**

TO: **Owner/Trainer Jorge W Rodriguez**; Permit #11191; SS# xxx-xx-4445

On **January 5, 2017**, the Board of Stewards offered a hearing to **Owner/Trainer, Jorge W Rodriguez** to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued December 30, 2016.

The Stewards hereby find the following:

The official blood sample #255547, taken on 12/14/16 was reported by Industrial Laboratories, the official testing laboratory, to contain Testosterone, which is a Class 3 drug, with a B Penalty, designation. The permissible threshold for Testosterone is 25 pg/ml in blood in geldings. Sample #255547 contained 417 pg/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the seven (7) horse, "**Cou Rouge**", which ran in the 8th Race on 12/14/2016, finishing First.

Mr. Rodriguez elected not to have a split sample tested.

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 Testosterone is 25 pg/ml in the blood for geldings. Because the amount of Testosterone in "**Cou Rouge**" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Rodriguez may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Testosterone positive in "**Cou Rouge**" is Mr. Rodriguez's **Second Offense** for a medication/substance violation in a 365 day period. Mr. Rodriguez had a Dexamethasone positive on December 23, 2015 in West Virginia.

The permit holder has accumulated **1 point** under the multiple medication violation point system as a result of the issuance of **Ruling #10 on January 12, 2016**. Mr. Rodriguez is assessed **4 points** for this Testosterone 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. **(Aggravating) The Permit holder's past record:** The permit holder's past record includes a Class 4, Category c, drug positive, Dexamethasone that was the subject of Ruling #10 issued by the Stewards in West Virginia. Therefore, the permit holder's past record is an aggravating 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 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:** Testosterone 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, nor 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 steps taken by the trainer to safeguard the horse:** Inasmuch as there was no hearing in this case it is unknown what efforts the trainer made to ensure that the treatment of the horse with Testosterone was done within the withdrawal guidelines and dosing specifications set forth in 178 W. Va. C.S.R. 1, Table 178-1 F, so as to avoid a positive. 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 races in question was an Accredited West Virginia- Bred race with a \$12,500 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 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated by a veterinarian with Testosterone. Therefore, this factor is not 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated with Testosterone 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: **Mr. Rodriguez horse Cou Rouge will be Disqualified from all purse money and will have a total of 5 points on his record.** With the Testosterone positive being Mr. Rodriguez's second medication violation in 365 days Mr. Rodriguez is given 30 day suspension. Having given 4 points for this Testosterone positive and already having 1 point for the Dexamethasone positive for a total of 5 points within a 365 day period of time Mr. Rodriguez is given an enhanced penalty of an additional 30 days. Mr. Rodriguez is suspended a total of 60 days beginning January 1, 2017 running through and including March 1, 2017 and fined (\$1000.00) one thousand dollars.

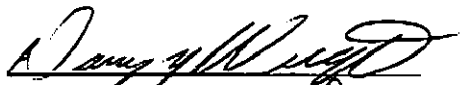
The horse "Cou Rouge" is disqualified from all purse money, Re-Distribution is as following.

1. Raggedy Peak
2. Windsor's Song
3. The Squire
4. Windsor's Flight
5. Noland's Cross
6. Clear Heart

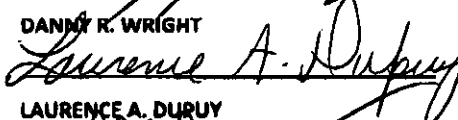
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$100.00

Dated: January 1, 2017

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON

PAID 1/11/17  
CASH

CHARLES TOWN RACES

STEWARDS RULING

JANUARY 11, 2017

## RULING NUMBER 2

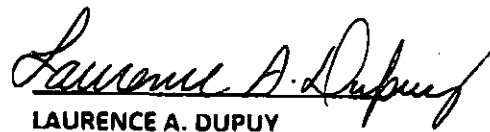
Owner/Trainer, Gregory Viands, Permit #20656, SS#: xxx-xx-7392 is hereby fined Two Hundred Fifty (\$250) Dollars.

Mr. Viands was afforded a B.O.S hearing on 1/10/17 at which time he admitted to bringing an unlicensed person on the grounds of the Association, without securing an Occupational Permit.

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 \$100.

BY ORDER OF THE STEWARDS:

  
DANNY K. WRIGHT  
LAURENCE A. DUPUY  
MICHAEL A. PEARSON

**CHARLES TOWN RACES   STEWARDS RULING   JANUARY 12, 2017**

**RULING NUMBER 3**

**Owner/Trainer; Amanda Marro; Permit #11894; SS# xxx xx 5650**

**Owner/Trainer license has been rescinded without prejudice as of  
January 12, 2017.**

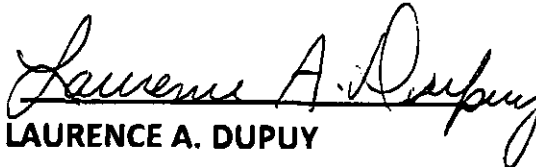
**BY ORDER OF THE STEWARDS:**

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

**DANNY R. WRIGHT**

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

**L. ROBERT LOTTS**

A handwritten signature in cursive script, appearing to read "Laurence A. Dupuy", written over a horizontal line.

**LAURENCE A. DUPUY**



**BEFORE THE BOARD OF STEWARDS  
CHARLES TOWN RACE TRACK  
RULING-MEDICATION VIOLATION**

**RULING #4**

**TO: Owner/Trainer Alex Bowman: Permit #10271; SS# xxx- xx-6388**

On January 12, 2017, the Board of Stewards offered a hearing to Owner/Trainer, Alex D Bowman to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued January 11, 2017.

The Stewards hereby find the following:

The official blood sample #255621, taken on 12/29/16 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 #255621 contained 72.6 pg/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the seven (7) horse, "Nolands Cross", which ran in the 2nd Race on 12/29/2016, finishing fourth.

Mr. Bowman elected not to have a split sample tested.

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 "Nolands Crosse" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Bowman may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Dexamethasone positive in "Nolands Cross" is Mr. Bowman's Second Offense for a medication/substance violation in a 365 day period. Mr. Bowman had a Phenylbutazone positive on October 7, 2016 in West Virginia.

The permit holder has accumulated 1 point under the multiple medication violation point system as a result of the issuance of Ruling #151 on October 7, 2016. Mr. Bowman is assessed 1 point 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. **(Aggravating) The Permit holder's past record:** The permit holder's past record includes a Class 4, Category c, drug positive, Phenylbutazone that was the subject of Ruling # 151 issued by the Stewards in West Virginia. Therefore, the permit holder's past record is an aggravating 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 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 steps taken by the trainer to safeguard the horse:** Inasmuch as there was no hearing in this case it is unknown what efforts the trainer made to ensure that the treatment of the horse with Dexamethasone was done within the withdrawal guidelines and dosing specifications set forth in 178 W. Va. C.S.R. 1, Table 178-1 F, so as to avoid a positive. 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 races in question was an Accredited West Virginia- Bred race with a \$10,000 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 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:** Inasmuch as there was no hearing in this matter 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.
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:** 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: Mr. Bowman's horse "Nolands Cross" will be Disqualified from all purse money and will have a total of 2 points on his record. With the Dexamethasone positive being Mr. Bowman's second medication violation in 365 days Mr. Bowman is fined 1500 dollars is given a 15 day suspension starting January 13, 2017 running through and including January 27, 2017.

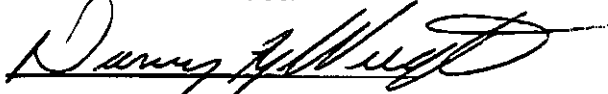
The horse "Cou Rouge" is disqualified from all purse money, Re-Distribution is as following.

1. Helgoland
2. The Squire
3. Tenacious Child
4. Winwlnrchixndlnnr
5. Our Boy K C
6. Nickers in a Twist

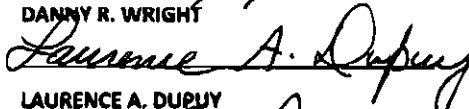
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$100.00  
Dated: January 13

, 2017

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULINGS

JANUARY 13, 2017

**RULING NUMBER 5**

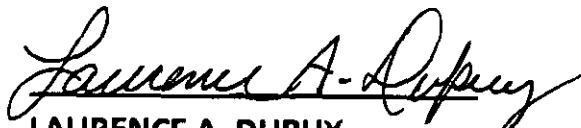
Jockey, Yamal Rosario; Permit # 13974, SS# xxx-xx-7033

**Mr. Rosario's**, Occupational Permit has been **summarily suspended** pending the outcome of a **Board of Stewards** hearing.

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 One-Hundred (\$100.00) Dollars.

**BY ORDER OF THE STEWARDS:**

  
DANNY R. WRIGHT

  
LAURENCE A. DUPUY

  
MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULINGS

JANUARY 13, 2017

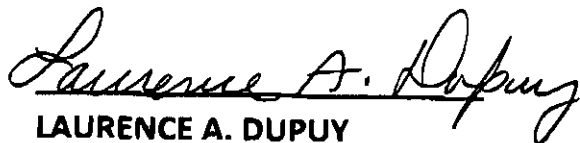
## RULING NUMBER 5

Jockey, Yamil Rosario; Permit # 13974, SS# xxx-xx-7033

Mr. Rosario's, Occupational Permit has been summarily suspended pending the outcome of a Board of Stewards hearing.

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 One-Hundred (\$100.00) Dollars.

## BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
MICHAEL A. PEARSON



CHARLES TOWN RACES

STEWARDS RULING

JANUARY 13, 2017

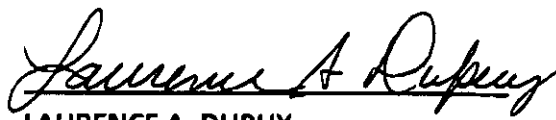

## RULING NUMBER 6

Jockey, Katherine Davis, Permit #13019; SS# xxx-xx-9226, is hereby fined **One-Hundred (\$100.00) Dollars** for being over his reported weight, on **Wednesday, January 11, 2017, in the Sixth Race**. This is in violation of West Virginia Rule of Racing Number **178-1-45.5.d** which states, "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."

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 One-Hundred (\$100.00) Dollars.

## BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
MICHAEL A. PEARSON

## CHARLES TOWN RACES

## STEWARDS RULING

JANUARY 13, 2017


## RULING NUMBER 7

Jockey, **Luis Batista**, Permit #14143; SS# xxx-xx-0427, is hereby fined **One-Hundred (\$100.00) Dollars** for being over his reported weight, on **Wednesday, January 11, 2017**. This is in violation of West Virginia Rule of Racing Number **178-1-45.5.d** which states, "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."

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 One-Hundred (\$100.00) Dollars.

## BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
MICHAEL A. PEARSON

KC1  
PAID 1/14/17  
#CMBL

CHARLES TOWN RACES

STEWARDS RULINGS

JANUARY 14, 2017

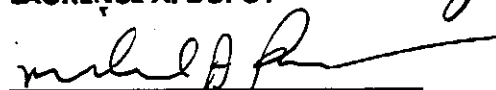
**RULING NUMBER 9**

Trainer, **Angel Gonzalez**, Permit # 10827; SS # XXX-XX-3048, is hereby fined **Two Hundred (\$200) Dollars** for violation of **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."

Trainer, **Angel Gonzalez** failed to be in the paddock with the horse "**Ana Ruth**", at the time appointed, for the running of the **First Race on January 13, 2017**, necessitating a late scratch.

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

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of One-Hundred (\$100.00) Dollars.

**BY THE ORDER OF THE STEWARDS:**  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
MICHAEL A. PEARSON

**BEFORE THE BOARD OF STEWARDS****CHARLES TOWN RACE TRACK****RULING #10**

**To: Trainer, David Wilhelm Sr., Permit #10411/2016; SS#xxx-xx-7136**

Trainer, **David Wilhelm, Sr.**, was afforded a hearing on January 11, 2017 on allegations of being in violation of **Rule of Racing #178-1-24.11.f**, which reads, "**has disturbed the peace on Association Grounds.**"

**Mr. Wilhelm** admitted to being the aggressor in a physical altercation in the Stable Area on the morning of December 24, 2016.

Having been found guilty of said allegations, **Mr. Wilhelm** is fined **Five-Hundred Dollars (\$500.00)**, and suspended **Thirty Days (30)**, beginning **December 25, 2016**, through and including **January 24, 2017**.

**DATED: 01/17/2017**

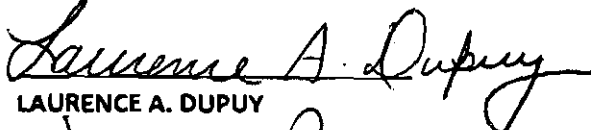
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this Ruling and must include a security fee in the amount of \$100.00.

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 Rule of Racing Number 178-1-8.5.n.

**BY ORDER OF THE STEWARDS:**



**DANNY R. WRIGHT**



**LAURENCE A. DUPUY**



**MICHAEL A. PEARSON**

CHARLES TOWN RACES

STEWARDS RULINGS

JANUARY 19, 2017

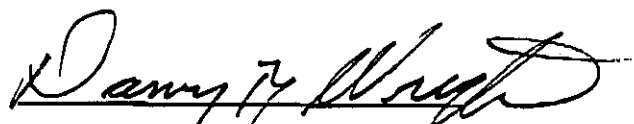
## RULING NUMBER 11

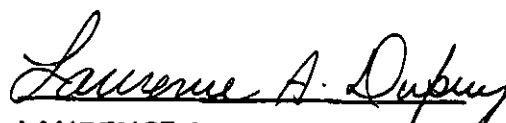
Bruce Daley; SS# xxx-xx-4022

**Mr. Daley**, is ineligible for permit, and has been **summarily suspended** pending the outcome of a **Board of Stewards** hearing.

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 One-Hundred (\$100.00) Dollars.

## BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT

  
LAURENCE A. DUPUY

  
L. ROBERT LOTTS

## CHARLES TOWN RACES

## STEWARDS RULINGS

JANUARY 20, 2017

## RULING NUMBER 12

Jockey, **Arnoldo Bocachica**, Permit #12068; SS xxx-xx-7900, is hereby suspended **Four (4) Racing Days, starting Wednesday, January 25, 2017, through and including Saturday, January 28, 2017**, for violation of **Rule of Racing, Number 178-1-45.7.b.1**, which reads: "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horses in the race."

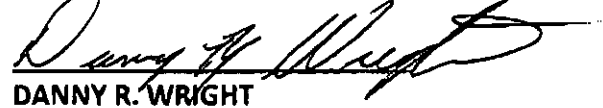
Jockey, **Bocachica** rode carelessly after leaving the starting gate, which permitted his mount to drift in and cause interference to the second place finisher "**Im a Hot Babe**", in the **Second Race, on Wednesday, January 18, 2017**.

**Bocachica's** mount, "**She's So Carolina**" was disqualified from **1<sup>st</sup>** and placed **2<sup>nd</sup>**.

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

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
MICHAEL A. PEARSON



CHARLES TOWN RACES

STEWARDS RULING

JANUARY 21, 2017

## RULING NUMBER 13

Jockey, **Darius Thorpe**, Permit #14285; SS# xxx-xx-2423, is hereby fined **One-Hundred (\$100.00) Dollars** for being over his reported weight, on **Friday, January 20, 2017**. This is in violation of West Virginia Rule of Racing Number **178-1-45.5.d** which states, "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."

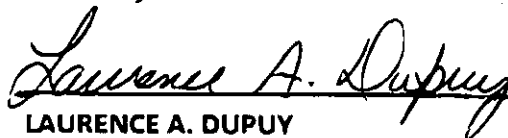
All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per Rule of Racing Number 178-1-8.5.n.

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 One-Hundred (\$100.00) Dollars.

## BY ORDER OF THE STEWARDS:

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

DANNY R. WRIGHT

A handwritten signature in black ink, appearing to read "Laurence A. Dupuy", written over a horizontal line.

LAURENCE A. DUPUY

A handwritten signature in black ink, appearing to read "Michael A. Pearson", written over a horizontal line.

MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULING

JANUARY 21, 2017

## RULING NUMBER 14

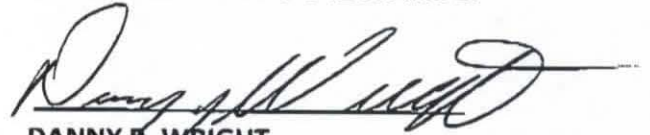
Owner/Trainer, **Adam Ingram**, Permit#20677; SS# xxx-xx-5328, is hereby fined Two-Hundred (\$200) Dollars for violation of West Virginia Rule of Racing Number **178-1-44.17.**, which reads in part: **"A horse is ineligible to start in a race when there is no current test certificate for Equine Infectious Anemia (EIA) attached to its breed registration certificate or proof of a negative test certificate is not otherwise available; and."**

**Mr. Ingram** failed to provide a Valid Coggins test for the horse, **"Duke of Chadwick"** in the **First (1<sup>st</sup>) Race on Friday, January 20, 2017**, necessitating a late scratch.

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

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
MICHAEL A. PEARSON

**CHARLES TOWN RACES**

**STEWARDS RULING**

**JANUARY 21, 2017**

**RULING NUMBER 15**

Jockey, **Christian Hiraldo**, Permit # 12179; SS# xxx-xx-4368, is hereby fined **Two Hundred (\$200.00)** Dollars for violation of **Rule of Racing Number 178-45.7.e**, which states: **"All horses shall be ridden out past the finish line in every race."**

**Mr. Hiraldo** stood up before the wire in the **Second (2) Race, January 18, 2017.**

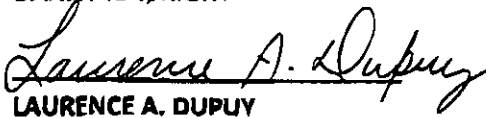
**Repeat Offender**

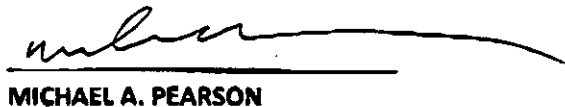
All fines imposed by the Stewards, shall be paid to the Racing Commission within seven (7) calendar days after the ruling is issued, unless otherwise ordered by the Stewards.

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of the ruling and must include a security fee in the amount of **One-Hundred (\$100.00)** Dollars.

**BY ORDER OF THE STEWARDS:**

  
**DANNY R. WRIGHT**

  
**LAURENCE A. DUPUY**

  
**MICHAEL A. PEARSON**

**BEFORE THE BOARD OF STEWARDS**  
**CHARLES TOWN RACE TRACK**  
**RULING NUMBER 16**

**TO: Trainer, James (Jim) Ruffner; Permit #15732/2015; SS# xxx-xx-7472**

**Trainer, James (Jim) Ruffner, is hereby suspended indefinitely, effective Wednesday, January 25, 2017 for violation of West Virginia Rule of Racing Number 178-1-24.11.c which reads in part, "has demonstrated financial irresponsibility by having a judgment issued against him or her for failure to pay debt owed as a result of obtaining feed, shelter, drugs, transportation, services for horses, veterinary services or supplies for himself or herself or others."**

While under suspension, **Mr. Ruffner** is denied access to and the privilege of all grounds under the jurisdiction of the West Virginia Racing Commission.

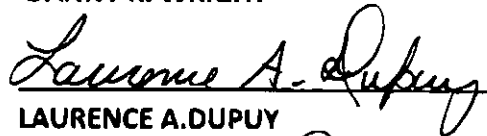
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the commission office within 20 days of your receipt of this ruling and must include a security fee in the amount of One-Hundred (\$100.00) Dollars.

**DATED: 01/25/2017**

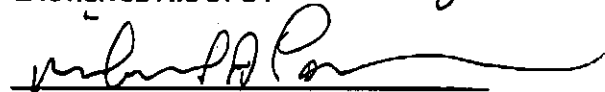
**BY ORDER OF THE STEWARDS:**



**DANNY R. WRIGHT**



**LAURENCE A. DUPLY**



**MICHAEL A. PEARSON**

## BEFORE THE BOARD OF STEWARDS

## CHARLES TOWN RACE TRACK

## RULING NUMBER 17

TO: Owner, Adam C. King; Permit #13846/2016; SS# xxx-xx-3047

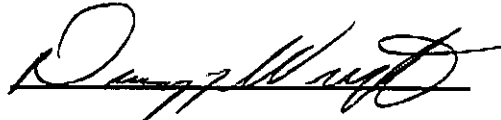
Owner, Adam C. King, is hereby suspended indefinitely, effective Wednesday, January 25, 2017 for violation of West Virginia Rule of Racing Number 178-1-24.11.c which reads in part, "has demonstrated financial irresponsibility by having a judgment issued against him or her for failure to pay debt owed as a result of obtaining feed, shelter, drugs, transportation, services for horses, veterinary services or supplies for himself or herself or others."

While under suspension, Mr. King is denied access to and the privilege of all grounds under the jurisdiction of the West Virginia Racing Commission.

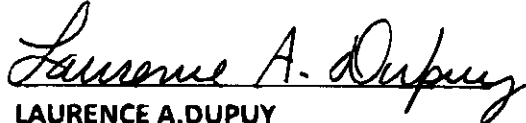
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the commission office within 20 days of your receipt of this ruling and must include a security fee in the amount of One-Hundred (\$100.00) Dollars.

DATED: 01/25/2017


BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON

## BEFORE THE BOARD OF STEWARDS

## CHARLES TOWN RACE TRACK

## RULING NUMBER 18

TO: Trainer, David J Rose; Permit #12764/2016; SS# xxx-xx-2883

Trainer, David C. Rose, is hereby **suspended indefinitely**, effective **Wednesday, January 25, 2017** for violation of West Virginia Rule of Racing Number 178-1-24.11.c which reads in part, **"has demonstrated financial irresponsibility by having a judgment issued against him or her for failure to pay debt owed as a result of obtaining feed, shelter, drugs, transportation, services for horses, veterinary services or supplies for himself or herself or others."**

While under suspension, **Mr. Rose** is denied access to and the privilege of all grounds under the jurisdiction of the West Virginia Racing Commission.

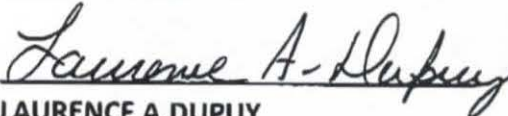
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the commission office within 20 days of your receipt of this ruling and must include a security fee in the amount of One-Hundred (\$100.00) Dollars.

**DATED: 01/25/2017**

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON



**BEFORE THE BOARD OF STEWARDS  
CHARLES TOWN RACE TRACK  
RULING NUMBER 19**

**TO: Trainer, Tim S. Shanley; Permit #11797/2017; SS# xxx-xx-1605**

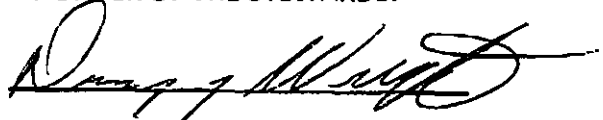
**Trainer, Tim S. Shanley, is hereby suspended indefinitely, effective Wednesday, January 25, 2017 for violation of West Virginia Rule of Racing Number 178-1-24.11.c which reads in part, "has demonstrated financial irresponsibility by having a judgment issued against him or her for failure to pay debt owed as a result of obtaining feed, shelter, drugs, transportation, services for horses, veterinary services or supplies for himself or herself or others."**

**While under suspension, Mr. Shanley is denied access to and the privilege of all grounds under the jurisdiction of the West Virginia Racing Commission.**

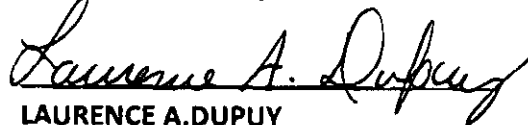
**You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the commission office within 20 days of your receipt of this ruling and must include a security fee in the amount of One-Hundred (\$100.00) Dollars.**

**DATED: 01/25/2017**

**BY ORDER OF THE STEWARDS:**



**DANNY R. WRIGHT**



**LAURENCE A. DUPUY**



**MICHAEL A. PEARSON**

CHARLES TOWN RACES

STEWARDS RULINGS

JANUARY 25, 2017

## RULING NUMBER 20

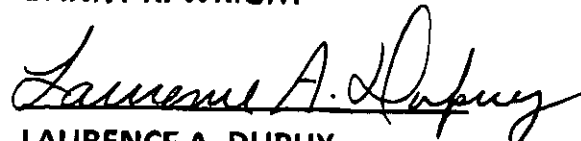
Jockey, Jerry Villegas; Permit #12178; SS# xxx-xx-4546

Mr. Villegas, has been **summarily suspended** pending the outcome of a **Board of Stewards** hearing.

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 One-Hundred (\$100.00) Dollars.

## BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT

  
LAURENCE A. DUPUY

  
MICHAEL A. PEARSON

CHARLES TOWN RACES

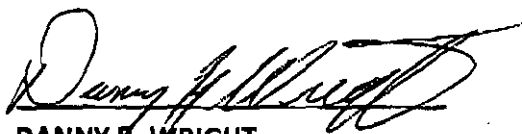
STEWARDS RULING

January 25, 2017


## RULING NUMBER 21

Trainer, **David Wilhelm, Sr.**, Permit # 10411; SS# xxx-xx-7136, occupational permit has been restored to good standing as of **01/25/2017** by order of the West Virginia Racing Commission, having complied with the conditions set forth in **Ruling #10**, dated **01/17/2017**.

BY ORDER OF THE STEWARDS

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

DANNY R. WRIGHT

A handwritten signature in black ink, appearing to read "Laurence A. Dupuy", written over a horizontal line.

LAURENCE A. DUPUY

A handwritten signature in black ink, appearing to read "Michael A. Pearson", written over a horizontal line.

MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULING

JANUARY 26, 2017

**RULING NUMBER 22**

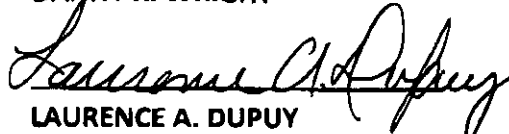
Jockey, **Yamil Rosario**, Permit # 13974, SS # xxx-xx-7033, is hereby suspended per **WV Rule of Racing 178-1-24.3.j** which reads, " A permit holder who is a first time violator under this subsection shall be required to undergo a professional assessment before the stewards and /or the Racing Commission to determine whether or not the permit holder's condition is such that he or she may hold a permit and participate in racing in the discretion of the stewards and /or the Racing Commission, a first time violator may be required to produce a negative test result; may be required to submit to further testing; and /or may be required to successfully complete a certified drug/alcohol rehabilitation program as a condition of holding a permit and participating in racing."

**Mr. Rosario** was subjected to a Board of Stewards testing order. The said test proved **positive for Opiate Metabolic and Marijuana**.

**Mr. Rosario** must submit to the Board of Stewards a clean drug test, and be professionally assessed before returning to racing.

During his suspension, he is denied access to and privileges of all grounds under the jurisdiction of the West Virginia Racing Commission.

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 \$100.00.

**BY ORDER OF THE STEWARDS:**  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
MICHAEL A. PEARSON

CHARLES TOWN RACES

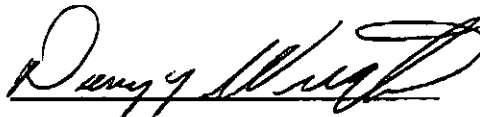
STEWARDS RULING

JANUARY 26, 2017

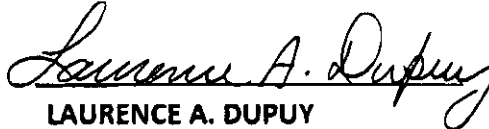
## RULING NUMBER 23

Trainer, **Tim Shanley**, Permit # 11797; SS# xxx-xx-1605, Occupational Permit has been restored to good standing as of **01/26/2017** by order of the West Virginia Racing Commission, having complied with the conditions set forth in **Ruling #19**, dated **01/25/2017**.

BY ORDER OF THE STEWARDS

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

DANNY R. WRIGHT

A handwritten signature in cursive script, appearing to read "Laurence A. Dupuy", written over a horizontal line.

LAURENCE A. DUPUY

A handwritten signature in cursive script, appearing to read "Michael A. Pearson", written over a horizontal line.

MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULING

JANUARY 27, 2017

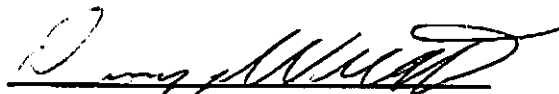
## RULING NUMBER 24

Jockey, **Xavier Perez**, Permit #14353; SS# xxx-xx-8981, is hereby fined **One-Hundred (\$100.00) Dollars** for being over his reported weight, in the **Fourth Race, Thursday, January 26, 2017**. This is in violation of West Virginia Rule of Racing Number **178-1-45.5.d** which states, "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."

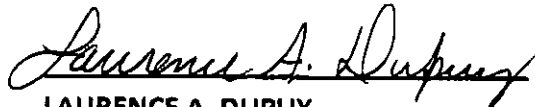
All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per Rule of Racing Number 178-1-8.5.n.

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 One-Hundred (\$100.00) Dollars.

## BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON



CHARLES TOWN RACES

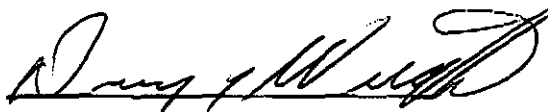
STEWARDS RULING

JANUARY 27, 2017

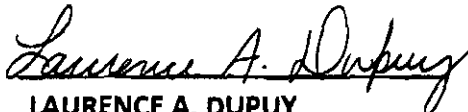
RULING NUMBER 25

Groom, Michael Lanager, Permit # 11856; SS# xxx-xx-3030, Occupational Permit has been restored to good standing as of **01/27/2017** by order of the West Virginia Racing Commission, having complied with the conditions set forth in **Ruling #128**, dated **09/03/2016**.

BY ORDER OF THE STEWARDS



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON

CHARLES TOWN RACES

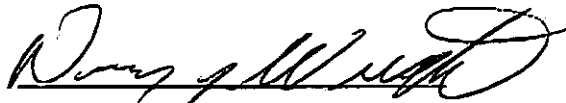
STEWARDS RULING

JANUARY 27, 2017

RULING NUMBER 26

Owner/Trainer, **Amanda Morro**, Permit # 11894; SS# xxx-xx-5650, Occupational Permit has been restored to good standing as of **01/27/2017** by order of the West Virginia Racing Commission, having terminated her position as Bookkeeper for PNGI.

BY ORDER OF THE STEWARDS



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULING

JANUARY 27, 2017

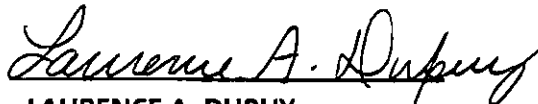
## RULING NUMBER 27

Trainer/Groom, **James (Jim) Ruffner**, Permit # 15732/2015 & #10724/2017; SS# xxx-xx-7472, Occupational Permit has been restored to good standing as of **01/27/2017** by order of the West Virginia Racing Commission, having complied with the conditions set forth in **Ruling #16, dated 01/25/17.**

BY ORDER OF THE STEWARDS



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON

## CHARLES TOWN RACES

## STEWARDS RULINGS

JANUARY 28, 2017

## RULING NUMBER 28

Jockey, **Guillermo Rodriguez**, Permit #13892; SS xxx-xx-2971, is hereby fined **Five (\$500)**, for violation of **Rule of Racing, Number 178-1-45.7.b.1**, which reads: "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horses in the race."

Jockey, **Rodriguez** allowed his mount "**Pirate Captain**", to drift in leaving the starting gate and cause interference to "**Im Not Quiet**", in the Fifth (5<sup>th</sup>) Race, on Wednesday, January 25, 2017.

**Rodriguez's** mount, "**Pirate Captain**" was disqualified from 2<sup>nd</sup> and placed 4<sup>th</sup>.

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

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of One-Hundred (\$100.00) Dollars.

## BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT

  
LAURENCE A. DUPUY

  
MICHAEL A. PEARSON

CHARLES TOWN RACES

STEWARDS RULINGS

JANUARY 31, 2017

## RULING 29

Trainer, **Wayne Potts**; Permit # 13458; SS# xxx-xx-8621

**Mr. Potts** is hereby fined **Five Hundred (\$500) Dollars** for not having his horse, "**Inner Fire**", in the paddock at the appointed time for the running of the **Fifth (5<sup>th</sup>) Race on Friday, January 27, 2017**, necessitating an untimely 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."

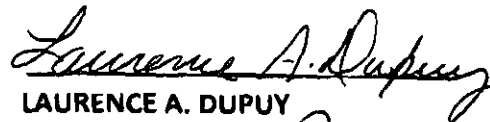
All fines imposed by the stewards shall be paid to the Racing Commission within (7) calendar days after the ruling is issued, unless otherwise ordered by the stewards.

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 \$100.00.

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON

CHARLES TOWN RACES

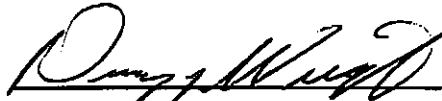
STEWARDS RULING

JANUARY 31, 2017

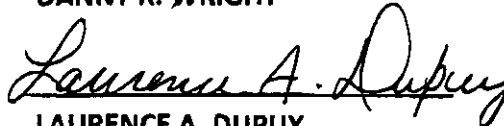
RULING NUMBER 30

Trainer, **David Rose**, Permit # 12764/2016; SS# xxx-xx-2883, Occupational Permit has been restored to good standing as of **01/31/2017** by order of the West Virginia Racing Commission, having complied with the conditions set forth in **Ruling #18, Dated 01/25/17**.

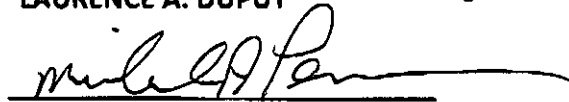
BY ORDER OF THE STEWARDS



DANNY R. WRIGHT



LAURENCE A. DUPUY



MICHAEL A. PEARSON



CHARLES TOWN RACES

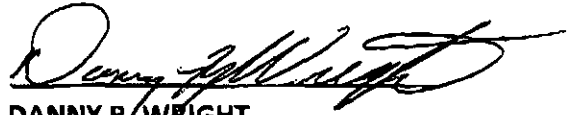
STEWARDS RULING

FEBRUARY 3, 2017

## RULING NUMBER 31

Jockey, **Yamil Rosario**, Permit # 13974; SS# xxx-xx-7033, Occupational Permit has been restored to good standing as of **02/03/2017** by order of the West Virginia Racing Commission, having complied with the conditions set forth in **Ruling #22, Dated 01/26/17.**

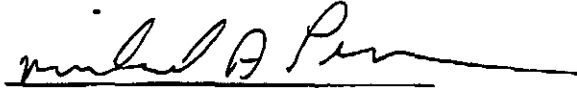
BY ORDER OF THE STEWARDS

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

DANNY R. WRIGHT

A handwritten signature in black ink, appearing to read "Laurence A. Dupuy", written over a horizontal line.

LAURENCE A. DUPUY

A handwritten signature in black ink, appearing to read "Michael A. Pearson", written over a horizontal line.

MICHAEL A. PEARSON

**BEFORE THE BOARD OF STEWARDS  
CHARLES TOWN RACE TRACK  
RULING-MEDICATION VIOLATION**

**RULING #32**

TO: **Owner/Trainer Wayne Potts**; Permit #13458; SS# xxx-xx-8621

On **February 8, 2017**, the Board of Stewards offered a hearing to **Owner/Trainer, Wayne Potts** to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued February 4, 2017.

The Stewards hereby find the following:

The official blood sample #255719, taken on 1/19/17 was reported by Industrial Laboratories, the official testing laboratory, to contain **Naproxen**, which is a Class 4 drug, with a c Penalty, designation. The permissible threshold for **Naproxen** is 0 in blood. Sample #255719 contained 96.6 ng/ml of the drug. The sample was taken from the one (1) horse, "**Shesgotthemoves**", which ran in the 8th Race on 1/19/2017, finishing first.

Mr. Potts elected not to have a split sample tested.

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 include 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 **Naproxen** is 0 ng/ml in the blood. Because the amount of **Naproxen** in "**Shesgotthemoves**" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Potts may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The **Naproxen** positive in "**Shesgotthemoves**" is Mr. Potts **Second Offense** for a medication/substance violation in a 365 day period. Mr. Potts had a **Dexamethasone** positive on August 5, 2016 in West Virginia.

The permit holder has accumulated **1 point** under the multiple medication violation point system as a result of the issuance of **Ruling #123 on September 24, 2016**. Mr. Potts is assessed **2 point** for this **Naproxen** 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. **(Aggravating) The Permit holder's past record:** The permit holder's past record includes a Class 4, Category c, drug positive, **Dexamethasone** that was the subject of **Ruling # 123** issued by the Stewards in West Virginia. Therefore, the permit holder's past record is an aggravating 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 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: Naproxen 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 steps taken by the trainer to safeguard the horse:** Inasmuch as there was no hearing in this case it is unknown what efforts the trainer made to ensure that the treatment of the horse with Naproxen was done within the withdrawal guidelines and dosing specifications set forth in 178 W. Va. C.S.R. 1, Table 178-1 F, so as to avoid a positive. 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 races in question was an Allowance race with a \$24,500 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 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated by a veterinarian with Naproxen. Therefore, this factor is not 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated with Naproxen 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: Mr. Potts horse "Shesgotthemoves" will be Disqualified from all purse money and will have a total of 3 points on his record. With the Naproxen positive being Mr. Potts second medication violation in 365 days Mr. Potts is fined 1500 dollars is given a 15 day suspension and an enhanced penalty of 30 days because of the accumulation 3 points on his record for a total of 45 days. Mr. Potts suspension will start Saturday February 11, 2017 and run through and including Monday March 27, 2017.

The horse "Shesgotthemoves" is disqualified from all purse money, Re-Distribution is as following.

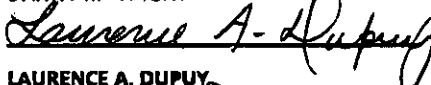
1. Bustin Hearts
2. Kyness
3. Lily's Peak
4. Artzia
5. Williams/sluckygray
6. Fair Praise

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 \$100.00  
Dated: February 7, 2017

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



L Robert Lotts

**BEFORE THE BOARD OF STEWARDS  
CHARLES TOWN RACE TRACK  
RULING-MEDICATION VIOLATION**

**RULING #33**

TO: **Owner/Trainer John C Carlisle**; Permit #12305; SS# xxx-xx-8176

On **February 8, 2017**, the Board of Stewards offered a hearing to **Owner/Trainer, John C Carlisle** to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued February 7, 2017.

The Stewards hereby find the following:

The official blood sample #255771, taken on 1/27/17 was reported by Industrial Laboratories, the official testing laboratory, to contain **Naproxen**, which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for **Naproxen** is 0 in blood. Sample #255771 contained 86.9 ng/ml of the drug. The sample was taken from the Three (3) horse, "**Windsor's Gal**", which ran in the 3<sup>rd</sup> Race on 1/27/2017, finishing third.

Mr. Carlisle elected not to have a split sample tested.

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 **Naproxen** is 0 ng/ml in the blood. Because the amount of **Naproxen** in "**Windsor's Gal**" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Carlisle may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The **Naproxen** positive in "**Windsor's Gal**" is Mr. Carlisle's **First Offense** for a medication/substance violation in a 365 day period.

The permit holder has accumulated 0 point under the multiple medication violation point system. Mr. Carlisle is assessed 2 point for this **Naproxen** 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's past record of no drug positives in West Virginia. Therefore, the permit holder's past record 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 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

aces, 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:** Naproxen 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 steps taken by the trainer to safeguard the horse:** Inasmuch as there was no hearing in this case it is unknown what efforts the trainer made to ensure that the treatment of the horse with Naproxen was done within the withdrawal guidelines and dosing specifications set forth in 178 W. Va. C.S.R. 1, Table 178-1 F, so as to avoid a positive. 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 races in question was a West Virginia-bred race with a \$10,000 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 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated by a veterinarian with Naproxen. Therefore, this factor is not 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated with Naproxen 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: Mr. Carlisle is fined One (1,000) Thousand Dollars and the horse "Windsor's Gal" will be Disqualified from all purse money and will have a total of 2 points on his record. With this Naproxen positive being Mr. Carlisle's First medication violation in 365 days,

Mr. Carlisle is given no enhanced penalty.


The horse "Windsor's Gal" is disqualified from all purse money, Re-Distribution is as following.

1. Just a Real Cat
2. Big Dreamer
3. Bop Along
4. Harley Hill Lady
5. Purer Than Silk

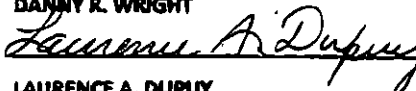
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$100.00

Dated: February 8, 2017

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPLY



L. Robert Lotts

## CHARLES TOWN RACES

## STEWARDS RULINGS

FEBRUARY 9, 2017

## RULING NUMBER 34

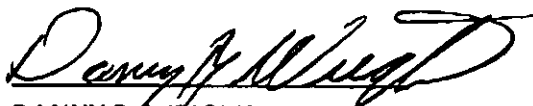
Apprentice Jockey, Jan Batista, Permit # 14039; SS# xxx-xx-3286 is hereby suspended for **Four (4) Race Days**, beginning **Wednesday, February 15, 2017**, through and including **Saturday, February 18, 2017**, for violation of **Rule of Racing 178-1-45.7.c.1** which reads: **"When the way is clear in 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."**

**Mr. Batista's mount "Forty One and Out" swerved outward under the left hand sticking and caused interference to #3, "Back to Seattle" and to #5, "Spur Tree, during the stretch run in the Second Race on Saturday, February 4, 2017.**

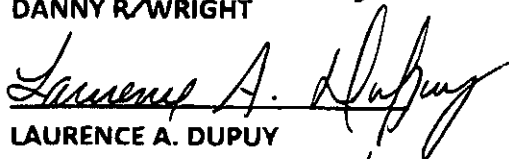
**Batista's mount "Forty One and Out" was disqualified from Third Position and placed Fifth.**

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 One-Hundred (\$100.00) Dollars.

## BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



L. ROBERT LOTTS

Please Change Ruling #34 to  
Jerry Villegas to  
#35

TK You

DK

CHARLES TOWN RACES

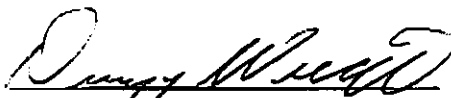
STEWARDS RULING

FEBRUARY 15, 2017

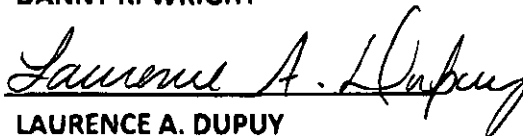
RULING NUMBER 34

Jockey, Jerry Villegas, Permit # 12178; SS# xxx-xx-4546, Occupational Permit has been restored to good standing as of 02/15/2017 by order of the West Virginia Racing Commission, having complied with the conditions set forth in Ruling #20, Dated 01/25/17.

BY ORDER OF THE STEWARDS



DANNY R. WRIGHT



LAURENCE A. DUPUY



L. ROBERT LOTTS



CHARLES TOWN RACES

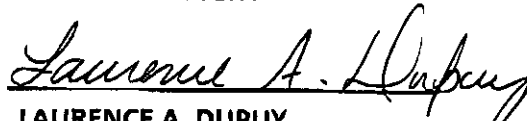
STEWARDS RULING

FEBRUARY 15, 2017

RULING NUMBER 35

Jockey, Jerry Villegas, Permit # 12178; SS# xxx-xx-4546, Occupational Permit has been restored to good standing as of 02/15/2017 by order of the West Virginia Racing Commission, having complied with the conditions set forth in Ruling #20, Dated 01/25/17.

BY ORDER OF THE STEWARDS

  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
L. ROBERT LOTTS

CHARLES TOWN RACES

STEWARDS RULINGS

FEBRUARY 16, 2017

## RULING NUMBER 36

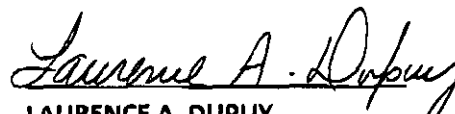
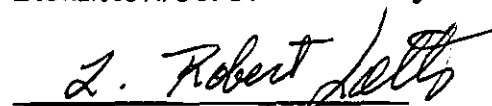
Jockey, **JD Acosta**, Permit # 13814; SS# xxx-xx-0435, is hereby fined **Two Hundred (\$200) Dollars** for violation of West Virginia Rule of Racing Number 178-1-28.3.b, which reads: "A jockey shall faithfully fulfill all engagements in respect to racing."

**Mr. Acosta** failed to fulfill his riding engagement on **Saturday, February 11, 2017, for the Sixth Race.**

All fines imposed by the stewards shall be paid to the Racing Commission within seven days (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 this ruling and must include a security fee in the amount of One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
L. ROBERT LOTTS

CHARLES TOWN RACES

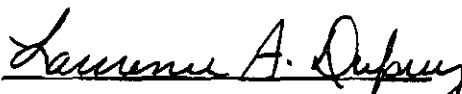

STEWARDS RULING

FEBRUARY 22, 2017

RULING NUMBER 37

Trainer, **Bruce Daley**, Permit # 14585; SS# xxx-xx-4022, Occupational Permit has been restored to good standing as of **02/22/2017** by order of the West Virginia Racing Commission, having complied with the conditions set forth in **Notice of Hearing**, dated **02/22/17**, and having paid his fine in the amount of **\$250.00**, for being in violation of **Rule of Racing 178-1-24.1.a**, which reads, "shall have a valid occupational permit issued by the Racing Commission, unless otherwise specifically exempted from this requirement."

BY ORDER OF THE STEWARDS

  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
DENVER BECKNER

CHARLES TOWN RACES

STEWARDS RULING

FEBRUARY 24, 2016

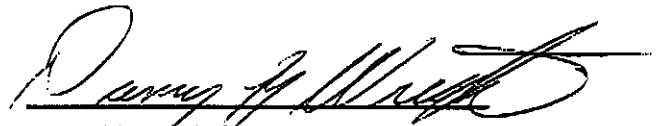

**RULING NUMBER 38**

Owner/Trainer, **Suzanne A. Dempsey**, Permit # 14211; SS# xxx-xx-6601, is hereby fined **Two-Hundred (\$200) Dollars** for violation of **Rule of Racing #178-1-44.1**, which reads: "A horse is ineligible to start in a race when: its breed certificate is not on file with the association's racing secretary, one-half hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the stewards' satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race.

**Ms. Dempsey** failed to have foal papers on file for the horse "**More Abundance**" for the running of the **Second Race, Wednesday, February 22, 2017, necessitating a late scratch.**

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

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of One-Hundred (100.00) Dollars

**BY ORDER OF THE STEWARDS:**  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
DENVER BECKNER

## CHARLES TOWN RACES

## STEWARDS RULINGS

FEBRUARY 25, 2017

## RULING #39

Apprentice Jockey, **Allison Nunez**, Permit #14580; SS xxx-xx-2217, is hereby fined **Five (\$500)**, for violation of **Rule of Racing, Number 178-1-45.7.b.1**, which reads: "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horses in the race."

**Ms. Nunez** carelessly allowed her mount "**E Man Mojo**", to drift out going into the quarter pole turn and while entering the stretch, which caused interfere to "**Bama Sam**" during the running of the **Third Race, on Wednesday, February 22, 2017.**

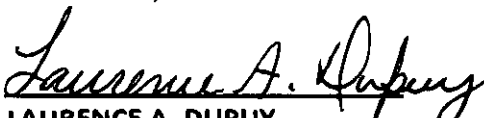
**Nunez's mount, "E Man Mojo" was disqualified from 1<sup>st</sup> and placed 2<sup>nd</sup>.**

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

You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of One-Hundred (\$100.00) Dollars.

## BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT

  
LAURENCE A. DUPUY

  
L. ROBERT LOTTS

RCI

✓ Paid 3/10/17

#215470

CHARLES TOWN RACES

STEWARDS RULING

MARCH 2, 2017

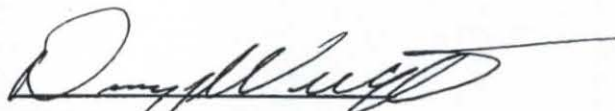
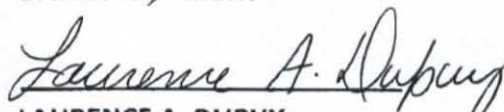
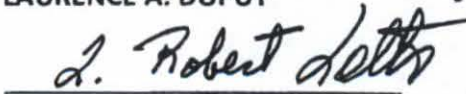
## RULING NUMBER 40

Apprentice Jockey, **Jan Batista**; Permit Number #14039; SS# xxx-xx-3286, is hereby fined **Two - Hundred (\$200.00) Dollars** for violation of West Virginia Rule of Racing Number **178-1-46.3.h** which reads, "No person shall make a frivolous protest." This occurred in the running of the **Sixth Race on Saturday, February 25, 2017**, and did not appear before BOS for the viewing of movies on **Wednesday, March 1, 2017**.

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 One-Hundred (\$100.00) Dollars.

## BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
L. ROBERT LOTTS

AC1

## CHARLES TOWN RACES

## STEWARDS RULING

MARCH 3, 2017

## RULING NUMBER 41

Groom, **Quincy Jackson**, Permit # 12353, SS # xxx-xx-0263, is hereby suspended per **WV Rule of Racing 178-1-24.3.j** which reads, " A permit holder who is a first time violator under this subsection shall be required to undergo a professional assessment before the stewards and /or the Racing Commission to determine whether or not the permit holder's condition is such that he or she may hold a permit and participate in racing in the discretion of the stewards and /or the Racing Commission, a first time violator may be required to produce a negative test result; may be required to submit to further testing; and /or may be required to successfully complete a certified drug/alcohol rehabilitation program as a condition of holding a permit and participating in racing."

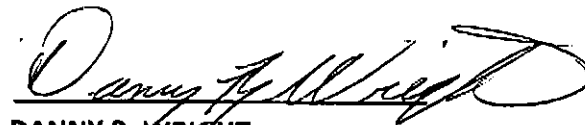
**Mr. Jackson** was subjected to a Board of Stewards testing order. The said test proved **positive** for **Marijuana**.

**Mr. Jackson** must submit to the Board of Stewards a clean drug test, and be professionally accessed before returning to racing.

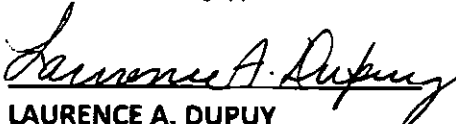
During his suspension, he is denied access to and privileges of all grounds under the jurisdiction of the West Virginia Racing Commission.

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 \$100.00.

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



L. ROBERT LOTTS

**CHARLES TOWN RACES**

**STEWARDS RULINGS**

**MARCH 4, 2017**

**RULING NUMBER 42**

Jockey, **Gerald Almodovar**, Permit # 13568; SS# xxx-xx-9660 is hereby fined **Five Hundred (\$500.00) Dollars**, for violation of **Rule of Racing 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 horse, it is a foul."

**Mr. Almodovar's mount "Charitable Harlow" drifted over and caused interference to "Shesgotthemoves" during the stretch run in the Seventh Race, on March 2, 2017.**

**Almodovar's mount "Charitable Harlow" was disqualified from 2<sup>nd</sup> and placed 4<sup>th</sup>.**

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 One-Hundred (\$100.00) Dollars.

**BY ORDER OF THE STEWARDS:**

  
**DANNY R. WRIGHT**

  
**LAURENCE A. DUPUY**

  
**L. ROBERT LOTTS**



## CHARLES TOWN RACES

## STEWARDS RULINGS

MARCH 7, 2017

## RULING NUMBER 43

Jockey, **Jarred Journet**, Permit #11772; SS xxx-xx-0867, is **suspended for Four Racing Days**, starting **Thursday, March 9, 10, 11 and March 15 2017**, for violation **Rule of Racing #178-1-45.7.b.1**, which reads: "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horses in the race.


Jockey **Journet**, carelessly permitted his mount "**Captain Holiday**" to come out to far at the head of the stretch and caused "**Sailaway**" to clip heels and fall during the running of the **Third Race on Friday, March 3, 2017**.

"**Captain Holiday**" was disqualified from **Third position and placed Ninth**.

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 One-Hundred (\$100.00) Dollars.

BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
DENVER BECKNER

CHARLES TOWN RACES

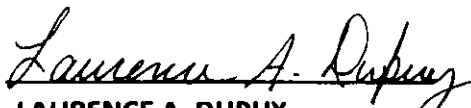
STEWARDS RULING

MARCH 11, 2017

RULING NUMBER 44

Groom, Quincy Jackson, Permit # 12353; SS# xxx-xx-0263, Occupational Permit has been restored to good standing as of **03/11/2017** by order of the West Virginia Racing Commission, having complied with the conditions set forth in **Notice of Hearing**, dated **03/03/17**.

BY ORDER OF THE STEWARDS

  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
DENVER BECKNER

CHARLES TOWN RACES

STEWARDS RULINGS

MARCH 18, 2017

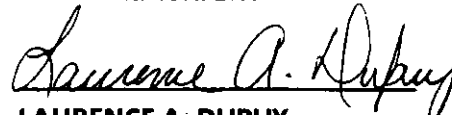
**RULING NUMBER 45**

Jockey, Yamil Rosario, Permit # 13974; SS# xxx-xx-7033 is hereby fined **Five Hundred (\$500.00) Dollars**, for violation of **Rule of Racing 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 horse, it is a foul."

**Mr. Rosario** was fined for failing to maintain a straight course during the running of the **3<sup>rd</sup> Race, Saturday, March 11, 2017**. **Mr. Rosario** allowed his mount "**Garen**" (5) to drift in and cause interference to "**Katman Quick**" (3).

**Rosario's mount "Garen" was disqualified from 3<sup>rd</sup> and placed 4<sup>th</sup>.**

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 One-Hundred (\$100.00) Dollars.

**BY ORDER OF THE STEWARDS:**  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
DENVER BECKNER

**BEFORE THE BOARD OF STEWARDS  
CHARLES TOWN RACE TRACK  
RULING-MEDICATION VIOLATION**

**RULING #46**

TO: Owner/Trainer Adam Ingram: Permit #20677; SS# xxx-xx-5328

On **March 22, 2017**, the Board of Stewards offered a hearing to Owner/Trainer, **Adam Ingram** to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued **March 21, 2017**.

The Stewards hereby find the following:

The official blood sample **#256003**, taken on **3/3/17** 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 **#256003** contained **21.8 pg/ml** of the drug, which is above the permissible threshold for this drug. The sample was taken from the Ten (10) horse, "**Shadows of Love**", which ran in the **3<sup>rd</sup> Race on 3/3/17, finishing Second**.

Mr. Ingram elected not to have a split sample tested.

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 "**Shadows of Love**" exceeded the acceptable threshold set forth in **Table 178-1 F**, Mr. Ingram may be held responsible and his occupational permit disciplined pursuant to **178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.**

The Dexamethasone positive in "**Shadows of Love**" is Mr. Ingram's **Second Offense** for a medication/substance violation in a 365 day period. Mr. Ingram had a **Ketoprofen** positive on **June 29, 2016 in West Virginia**.

The permit holder has accumulated **1 point** under the multiple medication violation point system as a result of the issuance of **Ruling #106 on July 15, 2016**. Mr. Ingram is assessed **1 point** 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. **(Aggravating) The Permit holder's past record:** The permit holder's past record includes a Class 4, Category C, drug positive, Ketoprofen that was the subject of **Ruling # 106** issued by the Stewards in West Virginia. Therefore, the permit holder's past record is an aggravating 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 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 steps taken by the trainer to safeguard the horse:** Inasmuch as there was no hearing in this case it is unknown what efforts the trainer made to ensure that the treatment of the horse with Dexamethasone was done within the withdrawal guidelines and dosing specifications set forth in 178 W. Va. C.S.R. 1, Table 178-1 F, so as to avoid a positive. 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 races in question was a 5,000 claiming race with a \$10,000 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 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:** Inasmuch as there was no hearing in this matter 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.
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:** 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: Mr. Ingrams horse "Shadows of Love" will be Disqualified from all purse money and will have a total of 2 points on his record. With the Dexamethasone positive being Mr. Ingrams' second medication violation in 365 day. Mr. Ingram is fined \$1500 dollars and is given a 15 day suspension starting Sunday, March 26, 2017 running through and including Sunday, April 9, 2017.

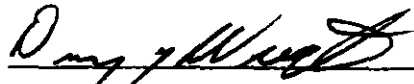
The horse "Shadows of Love" is disqualified from all purse money; Re-Distribution is as following.

1. My Vet's a Genius
2. Grip and Ride
3. Pinch This Too
4. Risk It
5. Midnight Blue
6. Glens's Castle

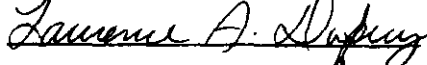
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$100.00

Dated: March 23, 2017

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



L. ROBERT LOTTS

CHARLES TOWN RACES

STEWARDS RULINGS

MARCH 23, 2017

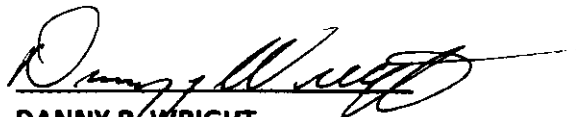
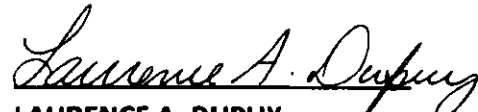
**RULING NUMBER 47**

Apprentice Jockey, **Caroline Quast**, Permit # 13504; SS# xxx-xx-1716 is hereby suspended **Four (4) Race Days**, beginning **Wednesday, March 29, 2017** through and including **Saturday, April 1, 2017**, for violation of **Rule of Racing 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 horse, it is a foul."

Ms Quast's mount "**Easy Sailing**" (2) drifted in when not clear and caused interference to "**Masons Dream**" (5) and "**Dean of Salsa**" (7), during the stretch run in the 8<sup>th</sup> Race on **Wednesday, March 22, 2017**.

Quast's mount "**Easy Sailing**" was disqualified from 3<sup>rd</sup> and placed 9<sup>th</sup>.

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 One-Hundred (\$100.00) Dollars.

**BY ORDER OF THE STEWARDS:**  
DANNY R. WRIGHT  
LAURENCE A. DUPUY  
L. ROBERT LOTTS



VRC1

**BEFORE THE BOARD OF STEWARDS  
CHARLES TOWN RACE TRACK  
RULING-MEDICATION VIOLATION**

**RULING #48**

TO: Owner/Trainer **JOHN J. ROBB**: Permit #12486; SS# xxx-xx-1635

On **March 24, 2017**, the Board of Stewards offered a hearing to Owner/Trainer, **JOHN J. ROBB** to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued **March 24, 2017**.

The Stewards hereby find the following:

The official blood sample **#256049**, taken on **3/10/17** was reported by Industrial Laboratories, the official testing laboratory, to contain **NAPROEN**, which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for **NAPROXEN** in the blood is 0. Sample **#256049** contained **11.8 ng/ml** of the drug, which is above the permissible threshold for this drug. The sample was taken from the **FOUR (4) horse, "NICE TRY"**, which ran in the **5<sup>TH</sup> Race on 3/10/17, finishing FIRST**.

**MR. ROBB** elected not to have a split sample tested.

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 **NAPROXEN** is 0 in the blood. Because the amount of **NAPROXEN** in "**NICE TRY**" exceeded the acceptable threshold set forth in **Table 178-1 F**, **MR. ROBB** may be held responsible and his occupational permit disciplined pursuant to **178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.**

The **NAPROXEN** positive in "**NICE TRY**" is **MR. ROBB'S** second offense for a medication/substance violation in a 365 day period. **MR. ROBB** had a **DIMETHYL SULFOXIDE** positive on **June 18, 2016** in **MARYLAND**.

The permit holder has accumulated **1 point** under the multiple medication violation point system as a result of the issuance of **Ruling #118 on July 9, 2016**. Mr. **ROBB** is assessed **2 point** for this **NAPROXEN** 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. **(Aggravating) The Permit holder's past record:** The permit holder's past record includes a Class 4, Category C, drug positive, **DIMETHYL SULFOXIDE** that was the subject of **Ruling # 118** issued by the Stewards in **MARYLAND**. Therefore, the permit holder's past record is an aggravating 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 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

racers, 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:** NAPROXEN 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 steps taken by the trainer to safeguard the horse:** Inasmuch as there was no hearing in this case it is unknown what efforts the trainer made to ensure that the treatment of the horse with NAPROXEN was done within the withdrawal guidelines and dosing specifications set forth in 178 W. Va. C.S.R. 1, Table 178-1 F, so as to avoid a positive. 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 races in question was a 10,000 claiming race with a \$15,000 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 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated by a veterinarian with NAPROXEN. Therefore, this factor is not 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated with NAPROXEN 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: **MR. ROBB'S horse "NICE TRY" will be disqualified from all purse money and will have a total of 3 points on his record. With the NAPROXEN positive being Mr. ROBB'S second medication violation in 365 day. MR. ROBB is fined \$1500 dollars and is given a 15 day suspension and an enhanced penalty of 30 days suspension for having accumulated a total of 3 points on his record, for a total of 45 days suspension starting MONDAY, APRIL 3, 2017 running through and including WEDNESDAY, MAY 17, 2017.**

The horse "NICE TRY" is disqualified from all purse money; Re-Distribution is as following.

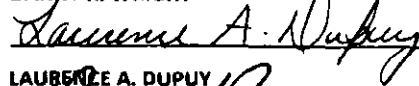
1. SHERWOOD FOREST
2. LIL' LALLSTAR
3. JUMP FOR TRUMP
4. BRYANA
5. TRIPLE CLOWN
6. WIN WISH

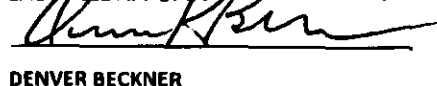
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.00

Dated: March 29, 2017

BY ORDER OF THE STEWARDS:

  
DANNY R. WRIGHT

  
LAURENCE A. DUPUY

  
DENVER BECKNER



VRCI

**BEFORE THE BOARD OF STEWARDS  
CHARLES TOWN RACE TRACK  
RULING-MEDICATION VIOLATION**

**RULING #49**

TO: **Owner/Trainer DERRICK J. GOETZ**; Permit #14545; SS# xxx-xx-2742

On **March 29, 2017**, the Board of Stewards offered a hearing to **Owner/Trainer, DERRICK J. GOETZ** to which he waived his right to a hearing, regarding allegations set forth in Notice of Hearing issued **March 28, 2017**.

The Stewards hereby find the following:

The official blood sample **#255887**, taken on **2/15/17** was reported by Industrial Laboratories, the official testing laboratory, to contain **A METABOLITE OF ACEPROMAZINE**, which is a Class 3 drug, with a B Penalty, designation. The permissible threshold for **ACEPROMAZINE** in the blood is 10 ng/ml.. Sample **#255887** contained **23.2 ng/ml** of the drug, which is above the permissible threshold for this drug. The sample was taken from the **SEVEN (7) horse, "LATE CALLER"**, which ran in the **4<sup>TH</sup> Race on 2/15/17, finishing FIRST**.

**MR. GOETZ** elected not to have a split sample tested.

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 **A METABOLITE OF ACEPROMAZINE** IS 10 ng/ml in the blood. Because the amount of **A METABOLITE OF ACEPROMAZINE** in "**LATE CALLER**" exceeded the acceptable threshold set forth in **Table 178-1 F**, **MR. GOETZ** may be held responsible and his occupational permit disciplined pursuant to **178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.**

The **METABOLITE OF ACEPROMAZINE** positive in "**LATE CALLER**" is **MR. GOETZ'S** first offense for a medication/substance violation in a 365 day period.

The permit holder has accumulated **0 points** under the multiple medication violation point system. As a result of the issuance of this ruling, **Mr. GOETZ** is assessed **2 points** for this **METABOLITE OF ACEPROMAZINE** 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's past record includes no drug violations. Therefore, the permit holder's past record is a mitigating.
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: ACEPPROMAZINE** 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 steps taken by the trainer to safeguard the horse:** Inasmuch as there was no hearing in this case it is unknown what efforts the trainer made to ensure that the treatment of the horse with **ACEPPROMAZINE** was done within the withdrawal guidelines and dosing specifications set forth in **178 W. Va. C.S.R. 1, Table 178-1 F**, so as to avoid a positive. 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 races in question was a 5,000 claiming race with a \$10,000 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 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated by a veterinarian with **ACEPPROMAZINE**. Therefore, this factor is not 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:** Inasmuch as there was no hearing in this matter it was not established whether or not the horse was being treated with **ACEPPROMAZINE** 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: **MR. GOETZ'S** horse "**LATE CALLER**" will be disqualified from all purse money and will have a total of **2 points** on his record. With the **ACEPPROMAZINE** positive being **Mr. GOETZ'S** first medication violation in 365 day. **MR. GOETZ** is fined \$500 dollars and is given a 15 day suspension starting, **SATURDAY, APRIL 1, 2017** through and including **SATURDAY, APRIL 15, 2017**.

The horse "**NICE TRY**" is disqualified from all purse money; Re-Distribution is as following.

1. **KEEPIN IT ZEAL**
2. **COPY CATTER**
3. **RAMSEY BRANCH**
4. **BOURNE HOT**
5. **GRAY NOT BAY**
6. **MR. RIPKIN**

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

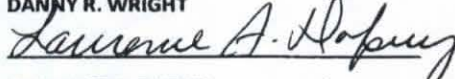
Dated: March 30

, 2017

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



L. ROBERT LOTTS

CHARLES TOWN RACES

STEWARDS RULING

MARCH 30, 2017

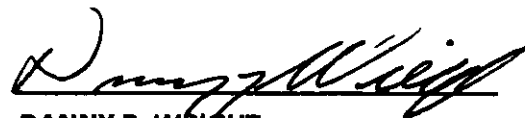
## RULING NUMBER 50

Jockey, **Darius Thorpe**, Permit #14285; SS# xxx-xx-2425, is hereby fined **One-Hundred (\$100.00) Dollars** for being over his reported weight, on the **Wednesday, March 29, 2017**. This is in violation of West Virginia Rule of Racing Number **178-1-45.5.d** which states, "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."

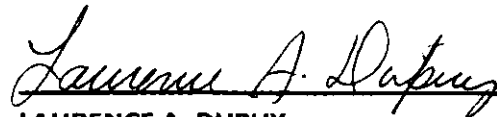
All fines imposed by the Stewards shall be paid to the Racing Commission within seven (7) Calendar days after the ruling is issued, unless otherwise ordered by the Stewards, Per Rule of Racing Number 178-1-8.5.n.

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 One-Hundred (\$100.00) Dollars.

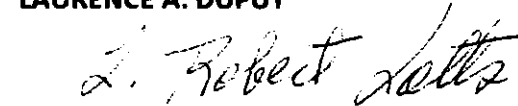
## BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



LAURENCE A. DUPUY



L. ROBERT LOTTS