

RULING #3

Owner/Trainer, **Eddie Clouston**, Permit: #38798 DOB: 07/02/1965, the official sample #E411276 taken from the runner "**El a Vader**" who finished seventh (7th) in the sixth (6th) race on Thursday, January 7, 2021, was reported by Industrial Testing Laboratory to contain **Ketoprofen** above the authorized levels. Specifically, the blood sample contained **4.5 +/-0.3 ng/ml**.

The Stewards conclude that **Mr. Clouston** has violated section(s) **178-1-49.6.a** and **178-1-49.4.a.2**, which reads: "Controlled therapeutic medications in excess of established threshold concentrations as set forth in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule, Version 3.2, contained in table **178-1F** at the end of this rule".

However, the Stewards determine the appropriate penalty on a case by case basis by considering the mitigating/aggravating factors.

Based on the above, the penalty on **Mr. Clouston** will be a warning with no suspension, fine, or points.

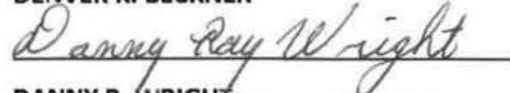
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.

Dated: January 23, 2021

BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

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

DANNY R. WRIGHT

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

L. ROBERT LOTTS

RULING #4

Owner/Trainer, **Irving Velez** Permit: #35300 DOB: 02/13/1982, the official sample #E411299 taken from the runner "**K W Captain Flint**" who finished first (1st) in the fourth (4th) race on **Saturday January 9, 2021**, was reported by Industrial Testing Laboratory to contain **Phenylbutazone** above the authorized levels. Specifically, the blood sample contained **3.0 ug/mL**. The measurement uncertainty at the threshold is **+/- 0.4 ug/ml**.

The Stewards conclude that **Mr. Velez** has violated section(s) **178-1-49.6.a** and **178-1-49.4.a.2**, which reads: "Controlled therapeutic medications in excess of established threshold concentrations as set forth in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule, Version 3.2, contained in table **178-1F** at the end of this rule".

However, the Stewards determine the appropriate penalty on a case by case basis by considering the mitigating/aggravating factors.

Based on the above, the penalty on **Mr. Velez** will be a warning with no suspension, fine, or points.

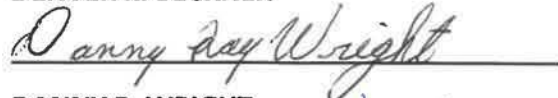
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.

Dated: January 23, 2020

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #5

Owner/Trainer, Frank D. Light

Permit #40530

On January 27, 2021, the Board of Stewards offered a hearing to Owner/Trainer, Frank D. Light for his horse "Gran Wildrocky" who finished first (1st) in the first (1st) race on Wednesday January 13, 2021.

The Stewards hereby find the following: The official blood sample #411306, taken on 01/13/21 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 picograms per milliliter of plasma or serum. Sample #411306 contained 270.8.0 pg/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the Five (5) horse, "Gran Wildrocky", which ran in the 1st Race on 01/13/21, finishing first.

Mr. Light elected to not 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.a, 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 3.2., 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 picograms per milliliter of plasma or serum. Because the amount of Dexamethasone in "Gran Wildrocky" exceeded the acceptable threshold set forth in Table 178-1 F. Mr. Light may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.4.a.2. and 51.1.a.

The Dexamethasone positive in "Gran Wildrocky" is Mr. Light's First Offense in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated 0 points under the multiple medication violation point system as a result of this issuance. Mr. Light is assessed ¼ 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. **(Mitigating) The Permit holder's past record:** The permit holder has no violations in this class category in the last 365 days
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication, to allow a state veterinarian conducting a pre-race examination to have as clean a look at the

horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it races, and to ensure the integrity of racing so that horse's 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 race in question was a **Maiden** race with a **\$27,000** 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 horse was receiving as 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. Light's horse "Gran Wildrocky" will be disqualified from all purse money and Mr. Light will have a total of ½ point on his record. The Dexamethasone positive, being the first medication violation in this class category in 365 day. Mr. Light is fined \$1000 dollars.

The horse "Gran Wildrocky" is disqualified from all purse money; Re-Distribution is as follows.

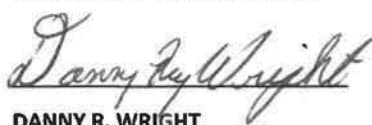
1. #1 Weave It Quixote
2. #7 Kulkulkan
3. #3 Native Courage
4. #4 Shortlister
5. #2 Cowtown Tapit
6. #6 Chasing Anna

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 \$500.00.

Dated: January 27, 2021

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


DENVER K. BECKNER


L. ROBERT LOTTS

RULING #6

Jockey Carlos Delgado Permit #38377; DOB 07/31/1995 is **suspended four racing days**, starting **Wednesday February 3, Thursday February 4, Friday February 5, and including Saturday February 6, 2021.**

Jockey Delgado is in violation of **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 Delgado let his mount, **Tamaqua** recklessly bully his way through a small hole near the wire bumping **Fiber Town** and nearly causing his rider to fall off his mount in the **Fourth Race on Wednesday January 27, 2021.** Tamaqua was disqualified from second and placed fourth.

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

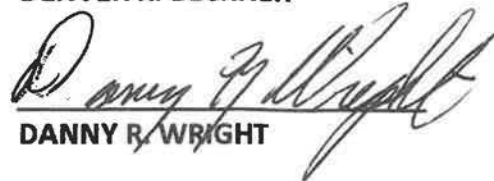
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within **20 days** of your receipt of this ruling and must include a security fee in the amount of **Five Hundred (\$500.00) Dollars.**

Dated: January 29, 2020

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT

L. ROBERT LOTTS

RULING #7

Owner, **Marcus Scott**, Permit #40998, DOB 12/1/1988, is hereby fined **Four (\$400.00) Hundred Dollars** for not having the horse, "**Hobe Sound**", in the paddock at the appointed time for the running of the **Fourth (4th) Race on Thursday January 28, 2021**. 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."

Mr. Scott sold **Hobe Sound** after being entered and instructed his trainer to scratch, in violation of rule **25.5.b.** which states "No horse entered in a race may be sold or transferred until after the race in which the horse is entered has been run unless otherwise permitted by the stewards."

Mr. Scott is a repeat violator of this rule.

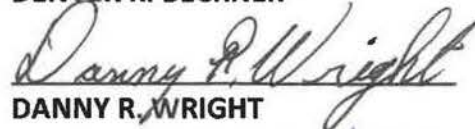
All fines imposed by the stewards shall be paid to the Racing Commission within (7) Calendar days after the ruling is issued, unless otherwise ordered by the stewards.

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #8

Jockey, **Luis A. Batista** Permit #38887 DOB; 05/07/1990, is hereby fined **Fifty (\$50.00) 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. Batista failed to fulfill his riding engagement on **Wednesday, February 3, 2021**.

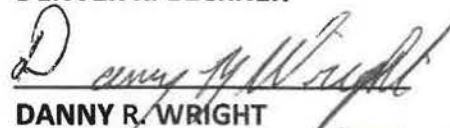
All fines imposed by the stewards shall be paid to the Racing Commission within seven days (7) calendar days after the ruling is issued, unless otherwise ordered by the stewards.

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 Five Hundred (\$500.00) Dollars.

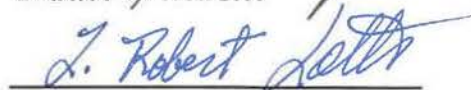
BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #9

Jockey, **Jason Simpson** Permit #38490 DOB; 07/16/1985, is hereby fined **Fifty (\$50.00) 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. Simpson failed to fulfill his riding engagement on **Thursday February 11, 2021**.

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 Five Hundred (\$500.00) Dollars.

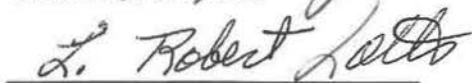
BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY B. WRIGHT



L. ROBERT LOTTS

RULING #10

Jockey, **Fredy Peltroche** Permit: #36119, DOB: 02/07/1977 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey, **Peltroche** let his mount "**Flicker's Princess**" come in nearing the sixteenth pole causing interference to "**Cherish Your Dream**" in the **Second Race, Saturday February 13, 2021.**

"Flicker's Princess" was disqualified from Fourth (4th) and placed Sixth (6th)

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

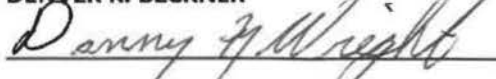
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: February 18, 2021:

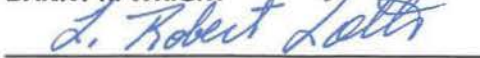
BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

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

DANNY R. WRIGHT

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

L. ROBERT LOTTS

RULING #11**Owner/Trainer, Lyn Venham****Permit #41009**

On February 25, 2021, the Board of Stewards offered a hearing to Owner/Trainer, Lyn Venham, Permit #41009, DOB 12/15/1970 to which she waived her right to a hearing regarding a medication violation pertaining to her horse "Rainbow River" who finished eighth (8th) in the eighth (8th) race on Saturday January 9, 2021.

The Stewards hereby find the following: The official blood sample #E411305, taken on 1/09/21 was reported by Industrial Laboratories, the official testing laboratory, to contain Dexamethasone and Trichlormethiazide which are Class 4 drugs, with a C Penalty, designation. Trichlormethiazide and Dexamethasone combination is an oral product that was licensed and marketed under the brand name of Naquasone and will be treated in this ruling as one application. The permissible threshold for Dexamethasone is 5 picograms per milliliter of plasma or serum. Sample #E411305 contained 73.8 pg/ml of the drug, which is above the permissible threshold for this drug. Trichlormethiazide was also confirmed in the blood. The sample was taken from the One (1) horse, "Rainbow River", which ran in the 8th Race on 1/09/21, finishing eighth.

Ms. Venham originally elected to have a split sample tested but has since changed her mind.

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.a, 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 3.2., 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 picograms per milliliter of plasma or serum. Because the amount of Dexamethasone (Naquasone) in "Rainbow River" exceeded the acceptable threshold set forth in Table 178-1 F. Ms. Venham may be held responsible and her occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.4.a.2. and 51.1.a.

The Dexamethasone (Naquasone) positive in "Rainbow River" is Ms. Venham's First Offense in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated 0 points under the multiple medication violation point system as a result of this issuance. Ms. Venham is assessed ½ point for this Dexamethasone (Naquasone) medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section 49.1 of the Thoroughbred Racing Rule:

1. **(Mitigating) The Permit holder's past record:** The permit holder has no violations in this class category in the last 365 days
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a

mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication, to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it races, and to ensure the integrity of racing so that horse's aren't racing under the effect of a medication that could affect performance.

3. **(Mitigating)** The legal availability of the oral application: Naquasone is legally available.
4. **Whether there is reason to believe the permit holder knew of the administration of the drug or intentional administered the drug:** The trainer admitted to the treatment of the horse "Rainbow River" with Naquasone and thought the treatment 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 considered in weighing the penalty in this case.
5. **The probability of environmental contamination exposure due to human use:** This factor is not applicable to this case.
6. **The purse of the race:** The race in question was a Claiming race with a \$11,000 purse. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case.
7. **Whether the drug found was one for which the horse was receiving as 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 Naquasone therefore, this factor is not considered in weighing the penalty in this case.
8. **Whether there was any suspicious betting pattern in the race:** There is no evidence of a suspicious betting pattern in this case and therefore, this factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense:

Ms. Venham's horse "Rainbow River" will be disqualified from all purse money and Ms. Venham will have a total of ½ point on her record. The Naquasone positive, being the first medication violation in this class category in 365 day. Ms. Venham is fined \$1000 dollars.

The horse "Rainbow River" is disqualified from all purse money.

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 \$500.00.

Dated: February 25, 2021

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


DENVER K. BECKNER


L. ROBERT LOTTS

RULING #12

Jockey, **Darius Thorpe** Permit: #38884, DOB: 05/08/1995 is hereby fined **\$250.00 (TWO HUNDRED FIFTY DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey, **Thorpe** let his mount "**I'm over the moon**" come in nearing the wire causing interference to "**Deputy Bee**" in the **Eighth Race, Wednesday, February 24, 2021.**

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

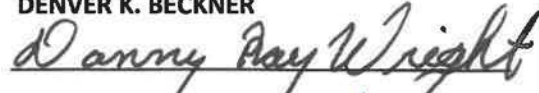
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: February 27, 2020:

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #13

Jockey, **Fredy Peltroche** Permit: #36119, DOB: 02/07/1977 is **suspended four racing days, Thursday March 4, Friday March 5, Saturday March 6, and including Wednesday March 10, 2021** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey, **Peltroche** let his mount "**Tiz the Reason**" come in nearing the quarter pole causing interference to "**Magicians Diva**" and "**Irish Knockout**" in the **Fifth Race, Thursday February 25, 2021**.

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

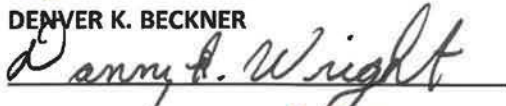
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: February 27, 2021:

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #14

Jockey, **Luis A. Batista** Permit: #38887, DOB: 05/07/1990 is **suspended four racing days, Wednesday March 17, Thursday March 18, Friday March 19, and Saturday March 20, 2021** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey, **Batista** let his mount "**Chestnut Lime**" come in nearing the quarter pole causing "**Fibertown**" to clip heels nearly unseating his rider in the **Second Race, Wednesday March 10, 2021**.

"Chestnut Lime" was disqualified from third (3rd) and placed fifth (5th).

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

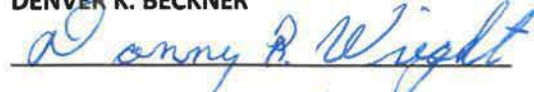
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: March 12, 2021:

BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

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

DANNY R. WRIGHT

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

L. ROBERT LOTTS

RULING #15

Jockey Luis A. Batista, Permit #38887, DOB: 05/07/1990 is hereby fined **Five Hundred (\$500.00) Dollars** for violation of **WV Rules of Racing # 178-1-24.28.1.b**, which reads in part, "A jockey shall pass a physical examination given within the previous twelve (12) months by a licensed physician, a licensed physician's assistant, or a licensed nurse practitioner affirming fitness to participate as a jockey."

Mr. Batista provided a jockey physical form which was filled out in a fraudulent manner and used to ride on **Wednesday March 10, 2021**.

Dated: March 12, 2021

BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

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

DANNY R. WRIGHT

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

L. ROBERT LOTTS

RULING #16

Jockey, **Christian Hiraldo** Permit #37993 DOB; 08/16/1992, is hereby fined **One Hundred (\$100) 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. Hiraldo failed to fulfill his riding engagements on **Saturday March 13, 2021**.

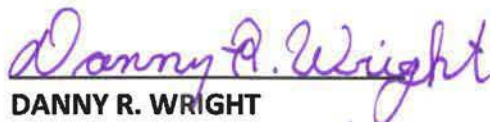
All fines imposed by the stewards shall be paid to the Racing Commission within seven days (7) calendar days after the ruling is issued, unless otherwise ordered by the stewards.

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 Five Hundred (\$500.00) Dollars.

BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

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

DANNY R. WRIGHT

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

L. ROBERT LOTTS

RULING #17

Jockey, **Javier Rivera** Permit: #41479, DOB: 09/09/1982 is fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey, **Rivera** let his mount "**Another Move**" come in nearing the finish line causing "**Alloverbutthecryin**" to take up sharply in the **First Race, Friday March 26, 2021**.

"Another Move" was disqualified from second (2nd) and placed third (3rd).

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

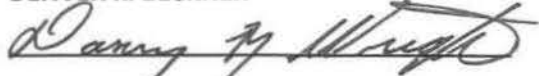
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: March 30, 2021:

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #18

Jockey, **Fredy Peltroche** Permit: #36119, DOB: 02/07/1977 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey, **Peltroche** let his mount "**Sunbridled**" come in passing the wire causing interference to "**Boundtobegood**" and "**Mega Millions**" in the **Second Race, Friday March 26, 2021**.

"Sunbridled" was disqualified from second (2nd) and placed fifth (5th)

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

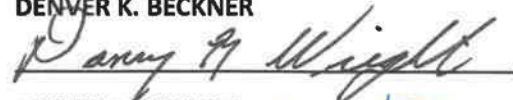
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: March 30, 2021:

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #19

Owner/Trainer, Nelsi Roman-Salon

Permit #40759

On Wednesday March 31, 2021 the Board of Stewards offered a hearing to Owner/Trainer, Nelsi Roman-Salon Permit #40759, DOB 11/07/1992 to which she waived her right to a hearing regarding a medication violation pertaining to his horse "Genesis G G" who finished first (1st) in the first (1st) race on Wednesday March 3, 2021.

The Stewards hereby find the following: The official blood sample #E411591 taken on 3/3/21 was reported by Industrial Laboratories, the official testing laboratory, to contain Flunixin and Phenylbutazone which are a Class 4 drugs, with a C Penalty, designation. Sample #E411591 contained 6.9 ng/ml of Flunixin and 1.10 ug/ml of Phenylbutazone, which is above the permissible thresholds for these drugs when stacked together. The sample was taken from the Three (3) horse, "Genesis G G", which ran in the 1st Race on 3/3/21, finishing first.

Ms. Roman-Salon 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.a, 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 3.2., contained in Table 178-1 F of the Thoroughbred Racing Rule

Pursuant to 178 W. Va. C.S.R. 1, Table 178-1 F, Because the amount of Flunixin and Phenylbutazone in "Genesis G G" exceeded the acceptable threshold set forth in Table 178-1 F, Ms. Roman-Salon may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.4.a.2. and 51.1.a.

This Stacking violation is Ms. Roman-Salon's Second Offense in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated 2 ½ points under the multiple medication violation point system. Ms. Roman-Salon is assessed ½ point for this medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section 49.1 of the Thoroughbred Racing Rule:

1. **(Mitigating) The Permit holder's past record:** The permit holder has one violation in the last 365 days
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication, to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it

racers, and to ensure the integrity of racing so that horses aren't racing under the effect of a medication that could affect performance.

3. **(Mitigating) The legal availability of the drug:** Flunixin and Phenylbutazone are 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 Flunixin and Phenylbutazone 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 race in question was a Maiden Claiming race with a \$17,000 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 horse was receiving as 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 Flunixin and Phenylbutazone. 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 Flunixin and Phenylbutazone by a veterinarian. Therefore, this factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense:

Ms. Roman-Salon's horse "Genesis G G" will be disqualified from all purse money and Ms. Roman-Salon will have a total of 3 points on her record. With the Flunixin and Phenylbutazone positive being the second medication violation in 365 days, Ms. Roman-Salon will be suspended for fifteen (15) days beginning on Thursday April 1, 2021 thru and including Thursday April 15, 2021. Ms. Roman-Salon is also fined \$1500.00 dollars.

The horse "Genesis G G" is disqualified from all purse money. The distribution is as follows:

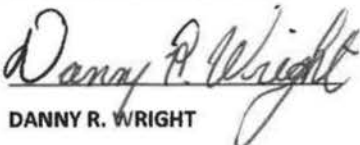
1. #5 Becoming Smitty
2. #4 Ask Me How I know
3. #1 Midnight Horizon
4. #6 Sterling Gladitor
5. #7 Windsor's Fun
6. #2 Marleesbeebee

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 \$500.00.

Dated: March 31, 2021

BY ORDER OF THE STEWARD:


DANNY R. WRIGHT


DENVER K. BECKNER


L. ROBERT LOTTS

RULING NUMBER #20

Owner/Trainer, **Mario Serey Jr.**, Permit #41989; DOB 11/26/1970 is hereby fined **Fifty (\$50.00) Dollars** for being late to the paddock with his horse **Toma** in the **Sixth Race on Wednesday, April 14, 2021.**

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

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

BY ORDER OF THE STEWARDS:**DENVER K. BECKNER****DANNY R. WRIGHT****L. ROBERT LOTTS**

RULING #21

Owner/Trainer, **Cynthia M. Boys**, Permit #40667, DOB 10/15/1971, having been afforded a **Board of Stewards** hearing on **April 28, 2021** is hereby found guilty and is hereby fined **Two Hundred and Fifty Dollars (\$250.00)** for being in violation of rule **#178-1-24.11.f** which reads, "has disturbed the peace on Association Grounds", by being in verbal altercations with horsemen in **Barn 10** over a few months.

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

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

BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

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

DANNY R. WRIGHT

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

L. ROBERT LOTTS

RULING #22

Owner/Trainer, Crystal Pickett

Permit #40982

On May 1, 2021, the Board of Stewards offered a hearing to Owner/Trainer, Crystal Pickett, Permit #40982, DOB 09/24/1980 to which she waived her right to a hearing regarding a medication violation pertaining to his horse "Hypothesis" who finished first (1st) in the third (3rd) race on Saturday, April 10, 2021.

The Stewards hereby find the following:

The official blood sample #E411841, taken on 4/10/21 was reported by Industrial Laboratories, the official testing laboratory, to contain Methocarbamol which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for Methocarbamol is 1 ng/ml in blood. Sample #E411841 contained 15.4 ng/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the Two (2) horse, "Hypothesis", which ran in the 3rd Race on 4/10/21, finishing First (1st).

Ms. Pickett 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 Methocarbamol is 1 ng.ml in the blood. Because the amount of Methocarbamol in "Hypothesis" exceeded the acceptable threshold set forth in Table 178-1 F, Ms. Pickett may be held responsible and her occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Methocarbamol positive in "Hypothesis" is Ms. Pickett's First Offense in this category 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. Ms. Pickett is assessed ½ point for this Methocarbamol medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section 49.1 of the Thoroughbred Racing Rule:

1. **(Mitigating) The Permit holder's past record:** The permit holder has no violations in the last 365 days
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication; to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it

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:** Methocarbamol 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 **Methocarbamol** 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 \$32,500 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 **Methocarbamol**. 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 **Methocarbamol** by a veterinarian. Therefore, this factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Ms. Pickett's horse "Hypothesis" will be disqualified from all purse money and will have a total of ½ points on her record. With the Methocarbamol positive being her first medication violation in 365 days, Ms. Pickett is fined \$1000 dollars.**

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

1. #5 Sagebrush
2. #3 Aaron's Tap
3. #4 Unrideabull
4. #1 Fairweather Friend

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: May 1, 2021

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #23

Owner/Trainer, Edwin L. Tobin

Permit #37937

On May 14, 2021, the Board of Stewards offered a hearing to Owner/Trainer, Edwin T. Tobin for his horse "In the Gospel" who finished first (1st) in the second (2nd) race on Thursday April 15, 2021.

The Stewards hereby find the following: The official blood sample #411861, taken on 04/15/21 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 picograms per milliliter of plasma or serum. Sample #411861 contained 20.0 pg/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the Five (5) horse, "In the Gospel", which ran in the 2nd Race on 04/15/21, finishing first.

Mr. Tobin elected to not 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.a, 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 3.2., 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 picograms per milliliter of plasma or serum. Because the amount of Dexamethasone in "In the Gospel" exceeded the acceptable threshold set forth in Table 178-1 F. Mr. Tobin may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.4.a.2. and 51.1.a.

The Dexamethasone positive in "In the Gospel" is Mr. Tobin's First Offense in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated 0 points under the multiple medication violation point system as a result of this issuance. Mr. Tobin is assessed ½ 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. **(Mitigating) The Permit holder's past record:** The permit holder has no violations in this class category in the last 365 days
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication, to allow a state veterinarian conducting a pre-race examination to have as clean a look at the

horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it races, and to ensure the integrity of racing so that horse's 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 race in question was a Maiden Claiming race with a \$17,000 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 horse was receiving as 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. Tobin's horse "In the Gospel" will be disqualified from all purse money and Mr. Tobin will have a total of ½ point on his record. The Dexamethasone positive, being the first medication violation in this class category in 365 days. Mr. Tobin is fined \$1000 dollars.

The horse "In the Gospel" is disqualified from all purse money; Re-Distribution is as follows.

1. #2 Strong Safety
2. #7 Prince Louis
3. #6 Classy Smitty
4. #9 Sterling Gladiator
5. #1 Eight of Diamond
6. #3 Iron Henry

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 \$500.00.

Dated: May 14, 2021

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


DENVER K. BECKNER


L. ROBERT LOTTS

RULING #24

Owner/Trainer, Elex D. Bowman

Permit #43020

On May 20, 2021, the Board of Stewards offered a hearing to Owner/Trainer, Elex D. Bowman, Permit #43020, DOB 01/06/1944 to which he waived his right to a hearing regarding a medication violation pertaining to his horse "Marleesbeebee" who finished in a dead heat for first (1st) in the third (3rd) race on Saturday April 17, 2021.

The Stewards hereby find the following: The official blood sample #E411886, taken on 04/17/21 was reported by Industrial Laboratories, the official testing laboratory, to contain Methocarbamol which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for Methocarbamol is 1 ng/ml in plasma or serum. Sample #E411886 contained 5.98 +/- 0.2 ng/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the Seven (7) horse, "Marleesbeebee", which ran in the 3rd Race on 04/17/21, finished in a dead heat for first.

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.a, 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 3.2., 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 Methocarbamol is 1 ng/ml in plasma or serum. Because the amount of Methocarbamol in "Marleesbeebee" 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 49.4.a.2. and 51.1.a.

The Methocarbamol positive in "Marleesbeebee" is Mr. Bowman's First Offense in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated 0 points under the multiple medication violation point system. Mr. Bowman is assessed ½ point for this Methocarbamol medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section 49.1 of the Thoroughbred Racing Rule:

1. **(Mitigating) The Permit holder's past record:** The permit holder has no violations in the last 365 days
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication, to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it

racers, and to ensure the integrity of racing so that horse's aren't racing under the effect of a medication that could affect performance.

3. **(Mitigating) The legal availability of the drug:** Methocarbamol 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 Methocarbamol 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 race in question was a **Maiden Claiming** 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 horse was receiving as 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 Methocarbamol. 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 Methocarbamol 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 "Marleesbeebee" will be disqualified from all purse money and Mr. Bowman will have a total of ½ points on his record. With the Methocarbamol positive being the first medication violation in 365 day. Mr. Bowman is fined \$1000 dollars.

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

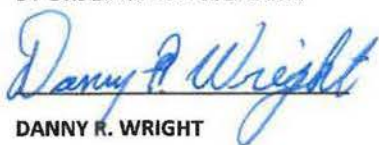
1. #1 Anchor's Firstlady
2. #8 Singing Harmony
3. #2 Tina's Song
4. #4 Sondeoff
5. #6 Lilbitsofdrama
6. #3 Cokers Cowgirl

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.

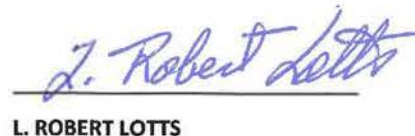
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.00

Dated: May 20, 2021

BY ORDER OF THE STEWARD:


DANNY R. WRIGHT


DENVER K. BECKNER


L. ROBERT LOTTS

RULING NUMBER #25

Jockey, **Jerry Villegas**, Permit #38209; DOB 08/22/1992 is hereby fined **Fifty (\$50.00) Dollars** for being late to the paddock **on several occasions, May 22, 2021.**

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

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

BY ORDER OF THE STEWARDS:


DENVER K. BECKNER


DANNY R. WRIGHT


L. ROBERT LOTTS

RULING #26

Jockey, **Antonio Lopez** Permit: #43480, DOB: 01/21/1987 is **suspended three racing days, Thursday June 3, Friday June 4, and Saturday June 5, 2021** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey, **Lopez** let his mount "**Just Gets Better**" come in nearing the sixteenth pole causing "**Officer Appeal**" to clip heels, unseating his rider in the **Seventh Race, Thursday May 27, 2021**.

"**Just Gets Better**" was disqualified from sixth (6th) and placed tenth (10th).

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

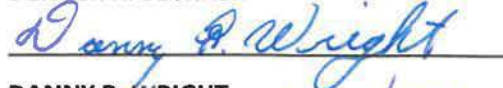
You have the right to appeal this ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 days of your receipt of this ruling and must include a security fee in the amount of Five Hundred (\$500.00) Dollars.

Dated: May 29, 2021:

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #27**Owner/Trainer, Alex Correa****Permit #38741**

On June 12, 2021, the Board of Stewards offered a hearing to Owner/Trainer, Alex Correa for his horse "Diamond Train" who finished seventh (7th) in the third (3rd) race on Saturday May 15, 2021.

The Stewards hereby find the following: The official blood sample #412000, taken on 05/15/21 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 picograms per milliliter of plasma or serum. Sample #412000 contained 20.3 pg/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the One (1) horse, "Diamond Train", which ran in the 3rd Race on 05/15/21, finishing seventh.

Mr. Correa elected to not 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.a, 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 3.2., 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 picograms per milliliter of plasma or serum. Because the amount of Dexamethasone in "Diamond Train" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Correa may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.4.a.2. and 51.1.a.

The Dexamethasone positive in "Diamond Train" is Mr. Correa's First Offense in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated 0 points under the multiple medication violation point system as a result of this issuance. Mr. Correa is assessed ½ 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. **(Mitigating)** The Permit holder's past record: The permit holder has no violations in this class category in the last 365 days
2. **(Mitigating)** The potential of the drug to influence the horse's racing performance: Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication, to allow a state veterinarian conducting a pre-race examination to have as clean a look at the

horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it races, and to ensure the integrity of racing so that horse's 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 race in question was a **Allowance** race with a **\$31,900** purse. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case.
8. **Whether the drug found was one for which the horse was receiving as 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. Correa's horse "Diamond Train" will be disqualified from all purse money and Mr. Correa will have a total of ½ point on his record. The Dexamethasone positive, being the first medication violation in this class category in 365 days. Mr. Correa is fined \$1000 dollars.

The horse "Diamond Train" is disqualified from all purse money; Re-Distribution is as follows.

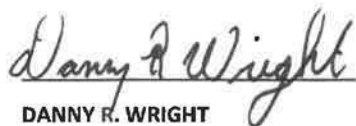
1. #6 Door Buster
2. #3 Suzysellseashells
3. #7 Boundtobeok
4. #C V's Powerpak
5. #5 That Kenney Kid
6. #4 Mady Rose

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 \$500.00.

Dated: June 17, 2021

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


DENVER K. BECKNER


L. ROBERT LOTTS

RULING #28

Jockey, **Javier Rivera** Permit: #41479, DOB: 09/09/1982 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey, **Rivera** let his mount "**Foggy Attitude**" angle in crossing the chute causing "**Red Hot Toddy**" to take up sharply in the **Fifth Race, Thursday, June 17, 2021.**

"Foggy Attitude" was disqualified from Second (2nd) and placed Fourth (4th)

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

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #29

Owner/Trainer, Crystal Pickett

Permit #40982

On June 19, 2021, the Board of Stewards offered a hearing to Owner/Trainer, Crystal Pickett, Permit #40982, DOB 09/24/1980 to which she waived her right to a hearing regarding a medication violation pertaining to his horse "Feel the Love" who finished fifth (5th) in the fifth (5th) race on Saturday, May 22, 2021.

The Stewards hereby find the following:

The official blood sample #E412039, taken on 5/22/21 was reported by Industrial Laboratories, the official testing laboratory, to contain Methocarbamol which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for Methocarbamol is 1 ng/ml in blood. Sample #E412039 contained 2.3 ng/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the Three (3) horse, "Feel the Love" which ran in the 5th Race on 5/22/21, finishing Fifth (5th).

Ms. Pickett 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 Methocarbamol is 1 ng/ml in the blood. Because the amount of Methocarbamol in "Feel the Love" exceeded the acceptable threshold set forth in Table 178-1 F, Ms. Pickett may be held responsible and her occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The Methocarbamol positive in "Feel the Love" is Ms. Pickett's Second Offense in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated ½ points under the multiple medication violation point system as a result of the issuance of. Ms. Pickett is assessed ½ point for this Methocarbamol medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section 49.1 of the Thoroughbred Racing Rule:

1. **(Mitigating) The Permit holder's past record:** The permit holder has one violation in the last 365 days
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication; to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it

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: Methocarbamol** 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 **Methocarbamol** 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 **Maiden** race with a **\$29,700** 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 **Methocarbamol**. 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 **Methocarbamol** by a veterinarian. Therefore, this factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Ms. Pickett's horse "Feel the Love" will be disqualified from all purse money and will have a total of 1 point on her record. With the Methocarbamol positive being her second medication violation in 365 days, Ms. Pickett is fined \$1500 dollars.**

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

1. #2 Elianagrace
2. #8 Moonlit Shadow
3. #1 Ellies Lil Castle
4. #7 Driven to Succeed
5. #5 Katiloumauldjoanr

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: June 19, 2021

BY ORDER OF THE STEWARDS:



DANNY R. WRIGHT



DENVER K. BECKNER



L. ROBERT LOTTS

RULING #30

Jockey, **Christian Hiraldo** Permit #37993 DOB; 08/16/1992, is hereby fined **One Hundred (\$100) 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. Hiraldo failed to fulfill his riding engagements on **Friday June 18, 2021**.

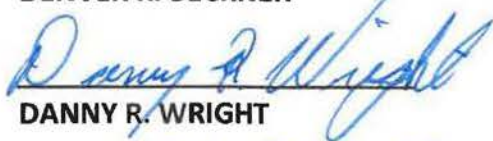
All fines imposed by the stewards shall be paid to the Racing Commission within seven days (7) calendar days after the ruling is issued, unless otherwise ordered by the stewards.

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 Five Hundred (\$500.00) Dollars.

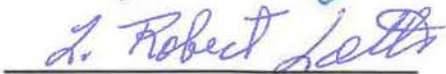
BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #31

Jockey, **Fredy Peltroche** Permit: #42717, DOB: 02/07/1977 is **suspended three racing days, Friday June 25, Saturday June 26, and including Thursday July 1, 2021** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey, **Peltroche** let his mount "**The Illusionist**" come in sharply nearing the sixteenth pole causing "**Morgan County**" to clip heels and nearly unseating his rider, in the **Fifth Race, Friday June 18, 2021**.

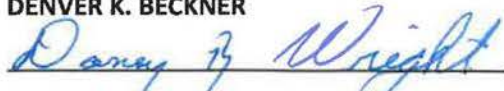
All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n**.

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #33

Trainer, Steven O. Romeka

Permit #41638

On June 26, 2021, the Board of Stewards offered a hearing to Trainer, Steven O. Romeka, Permit #41638, DOB 07/17/1960 to which he waived his right to a hearing regarding a medication violation pertaining to his horse "Northern Ridge" who finished first (1st) in the sixth (6th) race on Saturday, June 12, 2021.

The Stewards hereby find the following:

The official blood sample #E412141, taken on 6/12/21 was reported by Industrial Laboratories, the official testing laboratory, to contain Methocarbamol which is a Class 4 drug, with a C Penalty, designation. The permissible threshold for Methocarbamol is 1 ng/ml in blood. Sample #E412141 contained 7.1 ng/ml of the drug, which is above the permissible threshold for this drug. The sample was taken from the Ten (10) horse, "Northern Ridge", which ran in the 6th Race on 6/12/21, finishing First (1st).

Mr. Romeka 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 Methocarbamol is 1 ng/ml in the blood. Because the amount of Methocarbamol in "Northern Ridge" exceeded the acceptable threshold set forth in Table 178-1 F, Mr. Romeka 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 Methocarbamol positive in "Northern Ridge" is Mr. Romeka's First Offense in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated 0 points under the multiple medication violation point system as a result of the issuance of. Mr. Romeka is assessed ½ point for this Methocarbamol medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section 49.1 of the Thoroughbred Racing Rule:

1. **(Mitigating) The Permit holder's past record:** The permit holder has no violations in the last 365 days
2. **(Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d, Class 4 drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication; to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it

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:** Methocarbamol 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 **Methocarbamol** 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 **\$30,800** 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 **Methocarbamol**. 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 **Methocarbamol** 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. Romeka's horse "Northern Ridge" will be disqualified from all purse money and will have a total of ½ points on his record. With the Methocarbamol positive being his first medication violation in 365 days, Mr. Romeka is fined \$1000 dollars.**

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

1. #4 Auburn Mill
2. #1 Freedom Rider
3. #3 Golden Appeal
4. #9 Riding Cloud Nine
5. #7 Remy's Showtime
6. #6 Jacob T

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: June 26, 2021

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #34

Jockey, **Victor A. Rodriguez** Permit #37323 DOB; 07/12/1981 is fined **Fifty dollars (\$50.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

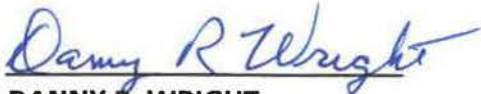
Jockey **Rodriguez** failed to make his reported weight on **Saturday June 26, 2020**.

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

BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

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

DANNY R. WRIGHT

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

L. ROBERT LOTTS

RULING #35

Jockey, Keimar Trotman Permit: #41479, DOB: 09/26/1997 is **suspended three racing days, Thursday July 15, Friday July 16, and Saturday July 17, 2021** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey Trotman let his mount **"So Courageous"** come in nearing the quarter pole causing **"Juba Junior"** to clip heels, unseating his rider in the **Fifth Race, Thursday July 8, 2021.**

"So Courageous" was disqualified from third (3rd) and placed tenth (10th).

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

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

Dated: July 10, 2021:

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #36

Jockey **Wladimir Rocha** Permit #37516 DOB; 08/22/1979 is fined **Fifty dollars (\$50.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

Jockey **Rocha** failed to make his reported weight on **Friday July 9, 2020**.

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #37

Jockey, **Victor A. Rodriguez** Permit #37323 DOB; 07/12/1981 is fined **Fifty dollars (\$50.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

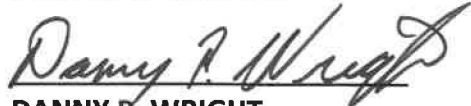
Jockey **Rodriguez** failed to make his reported weight on **Saturday July 10, 2020**.

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

BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

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

DANNY R. WRIGHT

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

L. ROBERT LOTTS

RULING #38

Owner/Trainer, Anthony Farrior

Permit #40678

On July 13, 2021, the Board of Stewards offered a hearing to **Owner/Trainer, Anthony Farrior, Permit #40678, DOB 11/04/1981** to which he waived his right to a hearing regarding a medication violation pertaining to his horse **"Fly E Dubai"** who finished First (1st) in the Sixth (6th) race on Thursday June 17, 2021.

The Stewards hereby find the following:

The official blood sample **#E412153**, taken on **6/17/21** was reported by Industrial Laboratories, the official testing laboratory, to contain **Methocarbamol** which is a **Class 4** drug, with a **C Penalty**, designation. The permissible threshold for **Methocarbamol** is **1 ng/ml** in blood. Sample **#E412153** contained **3.02 ng/ml** of the drug, which is above the permissible threshold for this drug. The sample was taken from the **Seven (7) horse, "Fly E Dubai"** which ran in the **6th Race on 6/17/21, finishing First (1st).**

Mr. Farrior 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 **Methocarbamol** is **1 ng.ml** in the blood. Because the amount of **Methocarbamol** in **"Fly E Dubai"** exceeded the acceptable threshold set forth in **Table 178-1 F**, **Mr. Farrior** 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 **Methocarbamol** positive in **"Fly E Dubai"** is **Mr. Farrior's Second Offense** in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated **3 points** under the multiple medication violation point system as a result of the issuance of. **Mr. Farrior** is assessed **½ point** for this **Methocarbamol** medication/substance violation pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1.**

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section **49.1 of the Thoroughbred Racing Rule**:

1. **(Mitigating) The Permit holder's past record:** The permit holder has one violation in the last 365 days in this category.
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:** Methocarbamol 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 **Methocarbamol** 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 **\$5000.00 Claiming** race with a **\$14,300 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 **Methocarbamol**. 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 **Methocarbamol** 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. Farrior's horse "Fly E Dubai" will be disqualified from all purse money and will have a total of 3 ½ points on his record.** With the **Methocarbamol** positive being his second medication violation in 365 days, **Mr. Farrior is fined \$1500 dollars.**

The horse "Fly E Dubai" is disqualified from all purse money; Re-Distribution is as following.

1. #8 Wolfinbarger
2. #9 The Iron Bank
3. #5 Owl Run
4. #2 Rocket Road
5. #3 Port More
6. #6 French's Toast

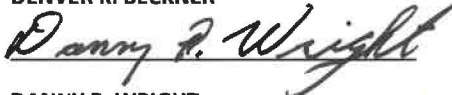
You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of \$500.00

Dated: July 15, 2021

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING NUMBER #39

Unlicensed Vendor **Donald L. Robb** DOB: **07/27/1977**, having satisfied the **Stewards Ruling #48** dated **August 19, 2020**. **Mr. Robb** is hereby restored to good standings.

BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

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

DANNY R. WRIGHT

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

L. ROBERT LOTTS

RULING #40

Jockey **Wladimir Rocha** Permit #37516 DOB; 08/22/1979 is fined **Fifty dollars (\$50.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

Jockey **Rocha** failed to make his reported weight on **Friday July 16, 2020**.

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #41

Jockey **Darius Thorpe** Permit #38884 DOB; 05/08/1995 is fined **Fifty dollars (\$50.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

Jockey **Thorpe** failed to make his reported weight on **Saturday July 17, 2021**.

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #42

Jockey, **Juan De Dios Acosta**, Permit #44312; DOB 10/3/1981, is hereby fined **One Hundred (\$100) 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 **Thursday July 22, 2021**

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 Five Hundred (\$500.00) Dollars.

BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

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

DANNY R. WRIGHT

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

L. ROBERT LOTTS

RULING #43

Jockey, **Christian Hiraldo** Permit #37993 DOB; 08/16/1992 is fined **Fifty dollars (\$50.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

Jockey **Hiraldo** failed to make his reported weight on **Thursday July 22, 2021**.

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING NUMBER #44

Jockey, **Jerry Villegas**, Permit #38209; DOB 08/22/1992 is hereby fined **Fifty (\$50.00) Dollars** for being late to the paddock **for the sixth race, July 24, 2021.**

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

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

BY ORDER OF THE STEWARDS:


DENVER K. BECKNER


DANNY R. WRIGHT


L. ROBERT LOTTS

RULING #45

Owner/Trainer, Jay L. Armstrong

Permit #45553

On August 7, 2021, the Board of Stewards offered a hearing to Owner/Trainer, Jay L. Armstrong, Permit #45553, DOB 07/15/1963 to which he waived his right to a hearing regarding a medication violation pertaining to her horse "Just Ask Me" who finished first (1st) in the eighth (8th) race on Friday June 9, 2021.

The Stewards hereby find the following: The official blood sample #E432271, taken on 07/09/2021 was reported by Industrial Laboratories, the official testing laboratory, to contain Pseudoephedrine and Pyriformine which are Class 3 drugs, with a B Penalty, designation. Pseudoephedrine and Pyriformine combination is an oral product that was licensed and marketed under the brand name of Tri-Hist and will be treated in this ruling as one application. There is no permissible threshold for Pseudoephedrine and Pyriformine in plasma or serum. Sample #E432271 contained Pseudoephedrine and Pyriformine in both blood and urine. The sample was taken from the Three (3) horse, "Just Ask Me", which ran in the 8th Race on 07/09/2021, finishing first.

Mr. Armstrong elected to not 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.a, 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 3.2., contained in Table 178-1 F of the Thoroughbred Racing Rule.

Pursuant to 178 W. Va. C.S.R. 1, Table 178-1 F, Because the amount of Pseudoephedrine and Pyriformine (Tri-Hist) in "Just Ask Me" exceeded the acceptable threshold set forth in Table 178-1 F. Mr. Armstrong may be held responsible and his occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1. sections 49.4.a.2. and 51.1.a.

The Pseudoephedrine and Pyriformine (Tri-Hist) positive in "Just Ask Me" is Mr. Armstrong's First Offense in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated 0 points under the multiple medication violation point system as a result of this issuance. Mr. Armstrong is assessed ½ point for this Pseudoephedrine and Pyriformine (Tri-Hist) medication/substance violation pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1.

The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section 49.1 of the Thoroughbred Racing Rule:

1. **(Mitigating) The Permit holder's past record:** The permit holder has no violations in any class category in the last 10 years
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's aren't racing under the effect of a medication that could affect performance.

3. **(Mitigating)** The legal availability of the oral application: Tri-Hist is legally available.
4. **Whether there is reason to believe the permit holder knew of the administration of the drug or intentional administered the drug:** The trainer admitted to the treatment of the horse "Just Ask Me" with Tri-Hist and thought the treatment 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 considered in weighing the penalty in this case.
5. **The probability of environmental contamination exposure due to human use:** This factor is not applicable to this case.
6. **The purse of the race:** The race in question was a Maiden race with a \$29,700 purse. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case.
7. **Whether the drug found was one for which the horse was receiving as 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 Tri-Hist therefore, this factor is not considered in weighing the penalty in this case.
8. **Whether there was any suspicious betting pattern in the race:** There is no evidence of a suspicious betting pattern in this case and therefore, this factor is not considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense:

Mr. Armstrong's horse "Just Ask Me" will be disqualified from all purse money and Mr. Armstrong will have a total of ½ point on his record. The Pseudoephedrine and Pyrilamine (Tri-Hist) positive, being the first medication violation in this class category in 365 days. Mr. Armstrong is fined \$500.00 dollars.

The horse "Just Ask Me" is disqualified from all purse money. Redistribution is as following:

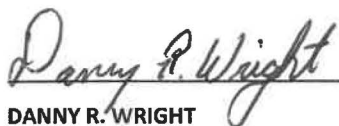
1. #4 Walk a Fine Line
2. #10 Taptap
3. #1 Global Empress
4. #7 Driven to Succeed
5. #6 Power Sonde
6. #2 Cook the Books

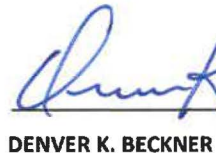
All fines imposed by the Stewards shall be paid to the Racing Commission within **Seven (7) days** after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia Rule of Racing Number 178-1-8.5.n.

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 \$500.00.

Dated: August 12, 2021

BY ORDER OF THE STEWARDS:


DANNY R. WRIGHT


DENVER K. BECKNER


L. ROBERT LOTTS

RULING #46

Jockey, **Victor A. Rodriguez** Permit #46496 DOB 07/12/1981 is fined **One hundred dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

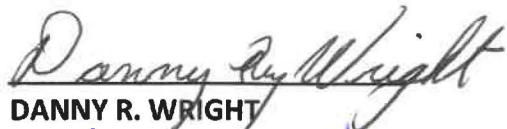
Jockey **Rodriguez** used his crop excessively in **Race 7** on **Thursday August 26, 2021.**

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

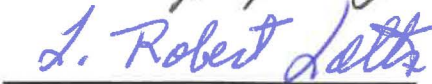
BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #47

Owner's license of Jacinto Chilo, Permit #40964 DOB 11/15/1958 has been rescinded without prejudice upon application as a Jockey.

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #48

Jockey, **Keimar Trotman**, Permit #41493 DOB 09/26/1997 is fined **One hundred dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Trotman** used his crop excessively in **Race 8** on **Friday September 3, 2021.**

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #49

Jockey, **Arnaldo Bocachica**, Permit #46998 DOB 06/20/1988 is fined **One hundred dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Bocachica** used his crop excessively in **Race 3** on **Saturday September 4, 2021.**

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



DANNY R. WRIGHT



L. ROBERT LOTTS

RULING #50

Jockey, **Christian Hiraldo**, Permit #47173 DOB 08/16/1992 is fined **One hundred dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Hiraldo** used his crop excessively in **Race 2** on **Saturday September 4, 2021.**

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

BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

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

DANNY R. WRIGHT

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

L. ROBERT LOTTS