WVRC

BEFORE THE BOARD OF STEWARDS MOUNTAINEER RACETRACK RULING

RULING #1

DATE: 1/3/2022

NAME: Alexander Chavez

DOB: 11/10/1998

PERMIT: # 46076 Jockey

The Stewards hereby impose the following penalty:

Jockey Alexander Chavez is hereby restored to good standing after having paid his fine for ruling #179 dated 9/23/2021 in the amount of one hundred (\$100.00) dollars

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

RULING #2

DATE: 1/3/2022

NAME: Jay Bernardini

DOB: 9/12/1966

PERMIT: # 42328 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Jay Bernardini is hereby restored to good standing after having paid his fines totaling four hundred (\$400.00) dollars

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Philip T Heidenrei

RULING #3

DATE: 1/3/2022

NAME: Adam Dobric

DOB: 8/26/1992

PERMIT: # Trainer

The Stewards hereby impose the following penalty:

Trainer Adam Dobric is hereby restored to good standing after having paid his fine for ruling #199 dated 9/25/2019 in the amount of one hundred (\$100.00) dollars

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

RULING #4

DATE: 1/11/2022

NAME: Yarmarie Correa

DOB: 1/28/1994

PERMIT: # 45049 Jockey

The Stewards hereby impose the following penalty:

Jockey Yarmarie Correa is hereby restored to good standing after having paid her fine for ruling #88 dated 7/25/2021 in the amount of one hundred (\$100.00) dollars

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward
Steward

RULING #5

DATE: 1/11/2022

NAME: Edwin Vizcarrondo

DOB: 3/15/1987

PERMIT: # 44346 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Edwin Vizcarrondo is hereby restored to good standing after having paid his fines for ruling #167 dated 9/55/2021 in the amount of two hundred (\$200.00) dollars and ruling #164 dated 9/14/2021 in the amount of one hundred (\$100.00) dollars.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

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RULING #6

DATE: January 24, 2022

TO: Cally Ann Herrington

DOB: 6/3/1990

PERMIT #: 45824 Owner/Trainer

The Stewards hereby impose the following penalty:

Industrial Laboratories reported sample #E441694 taken from the horse "Voodooism" which finished 1st in the 1st race on Tuesday, November 14, 2021 did contain Methocarbamol confirmed in blood (6.06 ng/ml.) The measurement of uncertainty for the method is (0.19 ng/ml) at the (1 ng/ml) threshold. Methocarbamol is a class 4 drug carrying a C penalty.

Ms. Herrington elected to send a split sample and signed a declaration of split sample testing on Friday, December 3, 2021. Sample number E441699 was sent to Kenneth L. Maddy Equine Analytical Chemistry Laboratory California Animal Health and Food Safety Laboratory System, Davis, California. The sample was found to have Methocarbamol. The concentration of Methocarbamol was (5.7 ng/ml).

The Board of Stewards concludes that Cally Ann Herrington has violated section 178-1-49.4.a.2 of the Thoroughbred Racing Rule, 178 C.S.R.1. This medication/prohibited substance violation is the permit holder's first violation in a 365-day period for medication/prohibited substance carrying a C penalty. The permit holder has accumulated (0) zero points under the multiple medication violation point system prior to this ruling. The points assessed for this medication/prohibited substance violation are one-half (1/2) point, giving a total of one-half (1/2) point pursuant to section 178-1-49.3.m of the Thoroughbred Racing Rules.

Based on the guidelines set forth in table 178-1 of the Thoroughbred Racing Rules, the Board of Stewards hereby fine Ms. Herrington one thousand (\$1,000.00) dollars.

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

- 1st) Miss Dogwood
- 2nd) Abuela Cori
- 3rd) Peach Bellini
- 4th) Circleofcolor
- 5th) Esta Caliente
- 6th) Pregolya River

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

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

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

Chief Steward

RULING #7

DATE: 3/8/2022

NAME: Edwin Vizcarrondo

DOB: 3/15/1987

PERMIT: # 44346 Owner/Trainer

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Owner/Trainer Edwin Vizcarrondo is hereby summarily suspended pending a hearing on Tuesday, March 22, 2022 at 10:30 am for falsifying application for owner/trainer permit and having horses shipped to and brought on the grounds of Mountaineer Racetrack which are under your control and care while being suspended in another jurisdiction.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

RULING #8

DATE: 3/21/2022

NAME: Jose Leon

DOB: 1/13/1999

PERMIT: # 42766 Jockey

The Stewards hereby impose the following penalty:

Jockey Jose Leon is hereby restored to good standing after having paid his fines totaling four hundred (\$400.00) dollars

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

RULING #9

DATE: 3/22/2022

NAME: Edwin Vizcarrondo

DOB: 3/15/1987

PERMIT: # 44346 Owner/Trainer

The Stewards hereby impose the following penalty:

A hearing was convened on Tuesday, March 22, 2022, in the Stewards office at Mountaineer Park Racetrack for Owner/Trainer Edwin Vizcarrondo regarding allegations that you have violated section 178-1-24.11.k and 178-1-24.11.gg of the Thoroughbred Racing Rules, 178 C.S.R.1. Mr. Vizcarrondo was present and was not represented by legal counsel.

Mr. Vizcarrondo is hereby suspended through and including Saturday, April 30, 2022, for violation of WV Rule of Racing 178-1-24.11.k, "has failed to disclose or has falsely stated any information required in the application for a permit." Mr. Vizcarrondo failed to disclose previous suspensions for Class 1 medication violations.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

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RULING # 10

DATE: 4/5/2022

NAME: Jorge Monserrate, Jr

DOB: 10/26/1981

PERMIT: # 51802 Jockey

The Stewards hereby impose the following penalty:

Jockey Jorge Monserrate, Jr. is hereby restored to good standing after having paid his fine in the amount of one hundred (\$100.00) dollars.

Tuling #192 Dated 10/4/2021 for \$100.00

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

RULING #11

DATE: 4/11/2022

NAME: Jeffery Dalrymple

DOB: 10/21/1988

PERMIT: # 48875 Food & Beverage

The Stewards hereby impose the following penalty:

Food & Beverage employee Jeffery Dalrymple is hereby summarily suspended pending a hearing on Wednesday, April 20, 2022 at 10:00 am for violation of WV Rule of Racing #178-1-24.3.b.6.

Testing Positive for THC on Sunday, April 10, 2022.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

RULING#12

DATE: 4/12/2022

NAME: Angel Serpa

DOB: 9/14/1987

PERMIT: # 45336 Jockey

The Stewards hereby impose the following penalty:

Jockey Angel Serpa is hereby restored to good standing after having paid his fine for ruling #129 dated 8/28/2021 in the amount of one hundred (\$100.00) dollars

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

RULING # 13

DATE: 4/13/2022

NAME: Luis Colon

DOB: 9/6/1988

PERMIT: # 43916 Jockey

The Stewards hereby impose the following penalty:

Jockey Luis Colon is hereby restored to good standing after having paid his fine for ruling #103 dated 8/9/2021 in the amount of one hundred (\$100.00) dollars

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

RULING #14

DATE: 4/18/2022

NAME: James Jackson

DOB: 4/16/1946

PERMIT: # 43490 Trainer

The Stewards hereby impose the following penalty:

Trainer James Jackson is hereby fined two hundred dollars (\$200.00) for violation of WV Rule of Racing 178-1-26.3.g "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Jackson failed to have the horse "Cutler" present in the paddock for the 7th race on Monday, April 18, 2022, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Steward

Steward

RULING #15

DATE: 4/18/2022

NAME: Jose A. Lopez

DOB: 1/20/1948

PERMIT: # 43707 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Jose A. Lopez is hereby fined three hundred dollars (\$300.00) for violation of WV Rule of Racing 178-1-26.3.g "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Lopez failed to have the horse "The Wayne Factor" present in the paddock for the 6th race on Monday, April 18, 2022, necessitating a late scratch. (Scratch to re-enter)

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Steward

Steward

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RULING #16

DATE: 4/18/2022

NAME: Eduardo Caramori

DOB: 12/8/1958

PERMIT: # 52351 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/trainer Eduardo Caramori is hereby fined one hundred dollars (\$100.00) for violation of WV Rule of Racing 178-1-1.44.1 "its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the steward's satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race."

Mr. Caramori failed to have the foal registration papers on file with the Racing Secretary's office for the horse "Bybee" for the running of the 7th race (allowance) on Monday, April 18, 2022. This is his first offense.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

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RULING #17

DATE: 4/18/2022

NAME: Jami Poole

DOB: 5/28/1971

PERMIT: # 47287 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/trainer Jami Poole is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-44.16. "There is no current negative test certificate for Equine Infectious Anemia (EIA) attached to its breed registration certificate or proof of a negative certificate in not otherwise available."

Mr. Poole failed to have a current negative Coggins certificate for the horse "Perfetto" which was scheduled to run in the 6th race on Monday, April 18, 2022, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #18

DATE: 4/18/2022

NAME: Israel Acevedo

DOB: 9/24/1964

PERMIT: # 49395 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/trainer Israel Acevedo is hereby fined one hundred dollars (\$100.00) for violation of WV Rule of Racing 178-1-1.44.1 "its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the steward's satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race."

Mr. Acevedo failed to have the foal registration papers on file with the Racing Secretary's office for the horse "Silver Stick Stair" for the running of the 1st race (allowance) on Monday, April 18, 2022. This is his first offense.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

Steward

Philip Heidenreich

RULING #19

DATE: 4/19/2022

NAME: Homer Timblin

DOB: 5/9/1977

PERMIT: # 52489 Groom

The Stewards hereby impose the following penalty:

Groom Homer Timblin is hereby summarily suspended pending a hearing on Tuesday, May 3, 2022 at 10:30 am for testing positive for THC on Monday, April $19,\,2022$.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

Stoward

RULING #20

DATE: 4/19/2022

NAME: Gregory Romero

DOB: 7/26/1983

PERMIT: # 48766 Jockey

The Stewards hereby impose the following penalty:

Jockey Gregory Romero is hereby summarily suspended pending a hearing on Tuesday, May 3, 2022 at 10:00 am for testing positive for THC on Monday, April 19, 2022.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

Stoward

RULING #21

DATE: 4/20/2022

NAME: Gregory Romero

DOB: 7/26/1983

PERMIT: # 48766 Jockey

The Stewards hereby impose the following penalty:

After a review in the jock's room, the Board of Stewards find Jockey Gregory Romero in violation of WV Rule of Racing section 178-1-45.7.f.5.C. (Use the crop before or after the finish of the race), 1st race on Monday, April 19, 2022.

Mr. Romero is fined two hundred dollars (\$200.00). This is his first offense.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

WVRC

RULING #22

DATE: 4/20/2022

NAME: Gennadi Dorochenko

DOB: 3/14/1959

PERMIT: # 47442 Trainer

The Stewards hereby impose the following penalty.

A hearing was convened on Wednesday, April 20, 2022, in the Stewards office at Mountaineer Park Racetrack for Trainer Gennadi Dorochenko regarding allegations that you have violated sections 178-1-26.3 and 178-1-24.11.gg of the Thoroughbred Racing Rule, 178 C.S.R.1. Mr. Dorochenko was present and was not represented by legal counsel.

Mr. Dorochenko is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-26.3.a "no trainer shall harbor, engage, retain, or employ any person not holding an occupational permit." Mr. Dorochenko had several people without a valid WV Racing Commission permit working for him.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #23

DATE: 4/20/2022

NAME: Jeffrey Dalrymple

DOB: 10/21/1988

PERMIT: # 48875 Food & Beverage

The Stewards hereby impose the following penalty:

Jeffrey Dalrymple is suspended for violation of WV Rule of Racing 178-1-24.3.b.6, (testing positive for THC) on Sunday, April 10, 2022. He must undergo a professional assessment to determine whether or not his condition is such that he may hold a permit. He must also provide a negative test before being considered for reinstatement.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

Steward

Phlip Heidenreich

RULING #24

DATE: 4/24/2022

NAME: Devan Ewell Sr.

DOB: 1/9/1984

PERMIT: # 43894 Trainer

The Stewards hereby impose the following penalty:

Trainer Devan Ewell, Sr is hereby fined three hundred dollars (\$300.00) for violation of WV Rule of Racing 178-1-26.3.g "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Ewell failed to have the horse "Frosted White Face" present in the paddock for the 1st race on Sunday, April 24, 2022, necessitating a late scratch. (Scratch to re-enter)

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Steward

Steward

RULING #25

DATE: 4/24/2022

NAME: Eddie Clouston

DOB: 7/2/1965

PERMIT: # 47118 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/trainer Eddie Clouston is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-44.16. "There is no current negative test certificate for Equine Infectious Anemia (EIA) attached to its breed registration certificate or proof of a negative certificate in not otherwise available."

Mr. Clouston failed to have a current negative Coggins certificate for the horse "Franks Legacy" which was scheduled to run in the 6th race on Sunday, April 24, 2022, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #26

DATE: 4/24/2022

NAME: Neil Morris

DOB: 6/10/1964

PERMIT: # 47699 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/trainer Neil Morris is hereby fined one hundred dollars (\$100.00) for violation of WV Rule of Racing 178-1-1.44.1 "its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the steward's satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race."

Mr. Morris failed to have the foal registration papers on file with the Racing Secretary's office for the horse "Your Pal" for the running of the 5th race (allowance) on Sunday, April 24, 2022. This is his first offense.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #27

DATE: 4/25/2022

NAME: Douglas S. Adams

DOB: 12/9/1961

PERMIT: # 51955 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/trainer Douglas Adams is hereby summarily suspended pending a hearing on Tuesday, May 10, 2022 at 11:00 am for refusing testing ordered by the Board of Stewards on Monday, April 25, 2022.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #28

DATE: 4/25/2022

NAME: Joe Musarro

DOB: 8/21/1991

PERMIT: # 47130 Jockey

The Stewards hereby impose the following penalty:

Jockey Joe Musarro is hereby summarily suspended pending a hearing on Wednesday, May 4, 2022 at 11:00 am for alleged violations of WV Rule of Racing 178-1-48.3.c and 178-1-24.11.gg.

Needles, syringes, and injectables not labeled correctly were found in his truck during a search in the barn area at Mountaineer Park Racetrack on Monday, April 25, 2022.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #29

DATE: 4/25/2022

NAME: Osborne Smith

DOB: 11/24/1964

PERMIT: # 52324 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/trainer Osborne Smith is hereby fined two hundred dollars (\$200.00) for violation of WV Rule of Racing 178-1-1.44.1 "its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the steward's satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race."

Mr. Smith failed to have the foal registration papers on file with the Racing Secretary's office for the horse "He Will Be Done" for the running of the 8th race on Monday, April 25, 2022, necessitating a late scratch. This is his first offense.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #30

DATE: 5/1/2022

NAME: Damian Roberts

DOB: 9/16/2002

PERMIT: # 52032 Security

The Stewards hereby impose the following penalty:

Security employee Damian Roberts is hereby summarily suspended pending a hearing on Wednesday, May 11, 2022 at 10:00 am for violation of WV Rule of Racing #178-1-24.3.b.6.

Testing Positive for THC on Saturday, April 30, 2022.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #31

DATE: 5/3/2022

NAME: Luis Colon

DOB: 9/6/1988

PERMIT: # 52417 Jockey

The Stewards hereby impose the following penalty:

Jockey Luis Colon is hereby fined one hundred dollars (\$100.00) for violation of WV Rule of Racing 178-1-28.3.b "A jockey shall faithfully fulfill all engagements in respect to racing."

Mr. Colon failed to ride "Trigz Too" in the 3rd race on Monday, May 2, 2022.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING # 32

DATE: 5/4/2022

NAME: Jan Baez

DOB: 11/10/2000

PERMIT: # 53061 Jockey

The Stewards hereby impose the following penalty:

Jockey Jan Baez is hereby restored to good standing after having paid his fine for ruling #79 dated 7/7/2021 in the amount of one hundred (\$100.00) dollars

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #33

DATE: 5/4/2022

NAME: Jan Baez

DOB: 11/10/2000

PERMIT: # 53061 Jockey

The Stewards hereby impose the following penalty:

Jockey Jan Baez is hereby fined one hundred dollars (\$100.00) for violation of WV Rule of Racing 178-1-28.3.b "A jockey shall faithfully fulfill all engagements in respect to racing."

Mr. Baez failed to ride "Alasaal" in the 7th race on Tuesday, May 3, 2022. First offense 2022.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #34

DATE: 5/4/2022

NAME: Alex Gonzalez

DOB: 10/18/1991

PERMIT: # 52363 Jockey

The Stewards hereby impose the following penalty:

Jockey Alex Gonzalez is hereby suspended three (3) Mountaineer Park race days. Effective Monday, May 9, Tuesday, May 10, and Sunday, May 15, 2022. For violations of WV Rules of Racing 178-1-45.7.b.1 and 178-1-45.7.c.1.

The incident occurred during the running of the 3rd race on Monday, May 3, 2022. #6 "Trigz Too" ridden" by Alex Gonzalez, drifted out repeatedly while hitting left-handed, causing interference to #5 "Frosted White Face" nearing the wire.

Mr. Gonzalez's mount was disqualified from $1^{\rm st}$ and placed $2^{\rm nd}$. Per WV Rule of Racing 178-1-28.1.f, Mr. Gonzalez may gallop while suspended.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #35

DATE: 5/4/2022

NAME: Homer Timblin

DOB: 5/9/1977

PERMIT: # 52489 Groom

The Stewards hereby impose the following penalty:

Groom Homer Timblin is hereby suspended for violation of WV Rule of Racing 178-1-24.3.b.6. (Testing positive for THC).

Mr. Timblin must provide a negative test and an evaluation to determine whether or not his condition is such that he may hold a permit and participate in racing.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #36

DATE: 5/4/2022

NAME: Gregory Romero

DOB: 7/26/1983

PERMIT: # 48766 Jockey

The Stewards hereby impose the following penalty:

Jockey Gregory Romero is hereby suspended for violation of WV Rule of Racing 178-1-24.3.b.6. (Testing positive for THC).

Mr. Romero must provide a negative test and an evaluation to determine whether or not his condition is such that he may hold a permit and participate in racing.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #37

DATE: 5/4/2022

NAME: Joe Musarro

DOB: 8/21/1991

PERMIT: # 47130 Jockey

The Stewards hereby impose the following penalty:

A hearing was convened on Wednesday, May 4, 2022 in the Stewards office at Mountaineer Park Racetrack for Jockey Joe Musarro regarding allegations that you have violated section (s) 178-1-48.3.c and 178-1-24.11.gg or the Thoroughbred Racing Rule, 178 C.S.R.1. Mr. Musarro was present and was not represented by legal counsel.

Mr. Musarro is hereby suspended for one hundred twenty (120) days. Starting Wednesday, May 4, 2022 through and including Thursday, September 1, 2022, for violation of WV Rule of Racing 178-1-48.3.c, "No person, other than a veterinarian licensed to practice veterinary medicine in the state of West Virginia and holding an occupational permit issued by the Racing Commission shall possess a hypodermic needle, syringe or injectable of any kind on association grounds, unless otherwise approved by the Stewards or Racing Commission."

Mr. Musarro was in possession of needles, syringes and injectables during a search of the barn area at Mountaineer Park Racetrack on Monday, April 25, 2022.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #38

DATE: 5/6/2022

NAME: Laci Denny

DOB: 8/24/1999

PERMIT: # 52934 Groom

The Stewards hereby rescind the Groom permit for Laci Denny, as Ms. Denny was issued a Jockey Agent permit.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Will HoBer

Steward

RULING #39

DATE: 5/24/2022

NAME: Diogdinabi Smith

DOB: 10/26/1991

PERMIT: # 45434 Jockey

The Stewards hereby impose the following penalty:

Jockey Diogdinabi Smith is hereby restored to good standing after having paid his fine for one hundred (\$100.00) dollars.

Ruling #266 Dated 11/23/2021 for \$100.00

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #40

DATE: 5/10/2022

NAME: Luciano Hernandez

DOB: 1/7/1980

PERMIT: # 53016 Jockey

The Stewards hereby impose the following penalty:

After a review in the jock's room, the Board of Stewards find Jockey Luciano Hernandez in violation of WV Rule of Racing section 178-1-45.7.f.5.A. (Use the crop more than six (6) times during the race), 2nd race on Sunday, May 8, 2022.

Mr. Hernandez is fined one hundred dollars (\$100.00). This is his first offense for 2022.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

Staward

RULING #41

DATE: 5/10/2022

NAME: Jose Leon

DOB: 1/3/1999

PERMIT: # 53242 Jockey

The Stewards hereby impose the following penalty:

After a review in the jock's room, the Board of Stewards find Jockey Jose Leon in violation of WV Rule of Racing section 178-1-45.7.f.5.A. (Use the crop more than six (6) times during the race), 6th race on Sunday, May 8, 2022.

Mr. Leon is fined one hundred dollars (\$100.00). This is his first offense for 2022.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chilef Steward

Steward

RULING #42

DATE: 5/15/2022

NAME: Jose M. Davila

DOB: 8/16/1983

PERMIT: # 47123 Jockey

The Stewards hereby impose the following penalty:

After a race review in the Jock's room, the Board of Stewards find Jockey Jose Davila in violation of WV Rule of Racing 178-1-45.7.f.6.c. "Use of crop from an arm position with wrist above the helmet."

Mr. Davila is hereby fined one hundred (\$100.00) dollars. This is Mr. Davila's 1st offense in 2022.

The incident occurred during the stretch run of the 3rd race on Tuesday, May 10, 2022.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #43

DATE: 5/15/2022

NAME: J. Michael Baird

DOB: 4/20/1971

PERMIT: # 52959 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/trainer J. Michael Baird is hereby fined one hundred dollars (\$100.00) for violation of WV Rule of Racing 178-1-1.44.1 "its breed registration certificate is not on file with the association's racing secretary one-half (1/2) hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the steward's satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race."

Mr. Baird failed to have the foal registration papers on file with the Racing Secretary's office for the horse "Highland Park Hero" for the running of the 4th race on Sunday, May 15, 2022, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #44

DATE: 5/15/2022

NAME: Jami Poole

DOB: 5/28/1971

PERMIT: # 47287 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/trainer Jami Poole is hereby fined two hundred (\$200.00) dollars for violation of WV Rule of Racing 178-1-44.16. "There is no current negative test certificate for Equine Infectious Anemia (EIA) attached to its breed registration certificate or proof of a negative certificate in not otherwise available."

Mr. Poole failed to have a current negative Coggins certificate for the horse "Barrel Proof" which was scheduled to run in the 5th race on Sunday, May 15, 2022, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

RULING #45

DATE: 5/15/2022

NAME: John Carlisle

DOB: 7/7/1980

PERMIT: # 47005 Trainer

The Stewards hereby impose the following penalty:

Trainer John Carlisle is hereby fined two hundred dollars (\$200.00) for violation of WV Rule of Racing 178-1-26.3.g "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Carlisle failed to have the horse "Bayou Bougie" present in the paddock for the 8^{th} race on Sunday, May 15, 2022, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Steward

Steward

RULING #46

DATE: 5/16/2022

NAME: John Carlisle

DOB: 7/7/1980

PERMIT: # 47005 Trainer

The Stewards hereby impose the following penalty:

Trainer John Carlisle is hereby fined two hundred dollars (\$200.00) for violation of WV Rule of Racing 178-1-26.3.g "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Mr. Carlisle failed to have the horse "Shesahumblehustler" present in the paddock for the $4^{\rm th}$ race on Monday, May 16, 2022, necessitating a late scratch.

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Steward

Steward

Staward

RULING #47

DATE: 5/16/2022

NAME: John T Brown

DOB: 6/18/1957

PERMIT: # 48886 Trainer

The Stewards hereby impose the following penalty:

Trainer John T. Brown is hereby suspended for failure to pay his fines totaling four hundred (\$400.00) dollars.

Ruling #279 Dated 11/30/2021 for \$100.00

Ruling #294 Dated 12/6/2021 for \$100.00

Ruling #238 Dated 12/13/2021 for \$200.00

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

Stoward

RULING #48

DATE: 5/16/2022

NAME: Luis Angel Batista

DOB: 5/7/1990

PERMIT: # 47242 Jockey

The Stewards hereby impose the following penalty:

Jockey Luis Angel Batista is hereby suspended for failure to pay his fine for one hundred (\$100.00) dollars.

Ruling #306 Dated 12/17/2021 for \$100.00

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

Stoward

RULING #49

DATE: 5/16/2022

NAME: James Chapman

DOB: 9/11/1971

PERMIT: # 41947 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer James Chapman is hereby suspended for failure to pay his fine for one hundred (\$100.00) dollars.

Ruling #295 Dated 12/7/2021 for \$100.00

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward

Stoward

RULING #50

DATE: 5/16/2022

NAME: Wilfrido Montano

DOB: 7/30/1969

PERMIT: # 47125 Owner/Trainer

The Stewards hereby impose the following penalty:

Owner/Trainer Wilfrido Montano is hereby suspended for failure to pay his fines totaling six hundred fifty (\$650.00) dollars.

Ruling #254 Dated 11/10/2021 for \$100.00

Ruling #260 Dated 11/17/2021 for \$300.00

Ruling #275 Dated 11/27/2021 for \$250.00

All fines imposed by the stewards shall be paid to the Racing Commission within 7 days after the ruling is issued, unless otherwise ordered by the Stewards, per WV Rule of Racing number 178-1-8.5.n.

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

Chief Steward

Steward