

**RULING #53**

Apprentice/Jockey, **Victor T. Lara**, Permit: #81367, DOB: 10/22/1995 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul." And 45.7.c.2. The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

Jockey **Lara** let his mount "**Madam Senator**" angle in nearing the head of the stretch impeding with "**Don't Blink**" in the **Fourth Race, Saturday, September 27, 2025**.

**"Madam Sunshine"** was disqualified from First (1<sup>st</sup>) and placed Fourth(4<sup>th</sup>)

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

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

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS A. PARTIDA**

## RULING #54

Trainer Mark A. Shanley

Permit #83335

On **October 4, 2025**, the Board of Stewards offered a hearing to **Trainer, Mark A. Shanley, Permit #83335, DOB 06/10/1983**, to which he waived his right to a hearing and elected not to send a split sample.

**The Board of stewards find the following:**

The official blood sample **#E566686**, taken on **09/13/2025** was reported by Industrial Laboratories, the official testing laboratory, to contain **Dexamethasone** which is a **Class 4** drug, with a **C Penalty**, designation. Sample **#E566686** contained **Dexamethasone** confirmed in the blood at **12.9 pg/mL**. The measurement uncertainty of the method is **0.56 pg/mL** at the threshold of **5 pg/mL**. The sample was taken from the **Four (4) horse, "Wishful Thoughts"** which ran in the **2<sup>nd</sup> Race on 09/13/2025**, finishing first.

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 **Dexamethasone** in **"Wishful Thoughts"** exceeded the acceptable threshold set forth in **Table 178-1 F**. **Mr. Shanley** 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 **"Wishful Thoughts"** is **Mr. Shanley's First Offense** in this category for a medication/substance violation in 365 days.

The permit holder has accumulated **0 points** under the multiple medication violation point system as a result of this issuance. **Mr. Shanley** 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 not had a violation in this class 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

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 oral application: 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, nor the circumstances under which the drug may have been given. Therefore this factor is considered in weighing the penalty in this case.
5. **The 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 **\$12,400** purse. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case.
7. **Whether the drug found was one for which the 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 "Wishful Thoughts" was treated with **Dexamethasone** therefore, this factor is not considered in weighing the penalty in this case.
8. **Whether there was any suspicious betting pattern in the race:** There is no evidence of a suspicious betting pattern in this case and therefore, this factor is not considered in weighing the penalty in this case.

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

**Mr. Shanley's horse "Wishful Thoughts" will be disqualified from all purse money**, this disqualification is justified due to the irrefutable drug positive, and **Mr. Shanley will have a total of ½ points on his record**. The **Dexamethasone** positive, being the first medication violation in this class category in 365 days. **Mr. Shanley is fined \$1000.00 dollars**.

**The horse "Wishful Thoughts" is disqualified from all purse money. Redistribution is as following:**

1. #6 Shuffle
2. #2 Tup's to Take
3. #3 Monkey Wrench
4. #1 Shiney Ghost
5. #5 Best Hop is a Drop

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: October 4, 2025**

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS A. PARTIDA**

**RULING #55**

Owner/Trainer, **Alfred H. Scott Jr.**, Permit: **#79906** DOB: **03/21/1959**, the official sample **#E566701** taken from the runner **"She's So Speighty"** who finished first (1<sup>st</sup>) in the First (1<sup>st</sup>) race on Friday September 19, 2025, was reported by Industrial Testing Laboratory to contain **Phenylbutazone** above the authorized levels. Specifically, the blood sample contained **2.35 ug/mL**. The measurement uncertainty at the threshold is **0.2.4 ug/ml at the threshold 2.00 ug/mL**

The Stewards conclude that **Mr. Scott** 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. Scott** 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: October 4, 2025**

**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS A. PARTIDA**

**RULING #56**

Groom **Edwin Marcano**, Permit: #80201; DOB 03/04/1983 is hereby suspended indefinitely, pending outcome of his legal issues regarding a physical disturbance in the barn area of **Charles Town Races**. Citing **WVRC Rule §178-1-24.11**. Grounds for Denial, Suspension or Revocation of Permit. The Racing Commission and/or the stewards may, in their discretion, refuse to issue or renew an occupational permit to an applicant, or may in their discretion suspend, revoke, or impose other disciplinary measures upon an occupational permit issued pursuant to this rule, if the applicant or permit holder: and **24.11.f**. has disturbed the peace on association grounds;

During his suspension **Mr. Marcano** is denied access to all properties under jurisdiction of the **West Virginia Racing Commission**.

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

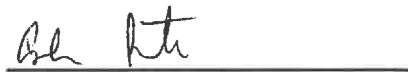
**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS A. PARTIDA**

**RULING #57**

Apprentice/Jockey, **Juan C. Belisario**, Permit: #81513, DOB: 12/03/1995 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul." And 45.7.c.2. The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

Jockey **Belisario** let his mount "**Preshow Hype**" angle in leaving the gate crowding horses and impeding with "**Keep shining On Us**" in the **Third Race, Saturday, October 4, 2025**.

**"Preshow Hype" was disqualified from First (1<sup>st</sup>) and placed Second(2<sup>nd</sup>)**

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

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

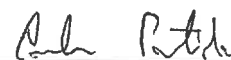
**BY ORDER OF THE STEWARDS:**



**DENVER K. BECKNER**



**ROY S. CAVE**



**CARLOS A. PARTIDA**