

RULING #1

Apprentice Jockey, **Erick Fuentes**, Permit: #77544, DOB: 11/15/1995 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."

Jockey **Fuentes** let his mount "**River Malbumoonrvf**" drift out near the eighth pole bumping with "**Lucky One**" and carrying that rival out down the stretch in the **Sixth Race, Thursday, January 2, 2025**.

"River Malbumoonrvf" was disqualified from Second (2nd) and placed Seventh (7th)

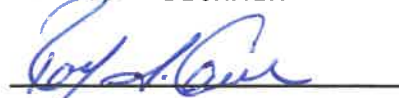
All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n**.

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 PARTIDA

CHARLES TOWN RACES

STEWARDS RULING

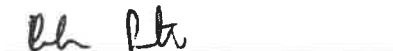
JANUARY 17, 2025

RULING NUMBER #2

Jockey, **Orlando Bocachica**, Permit #74639 DOB 06/17/1981 is hereby fined Fifty (\$50.00) Dollars for being late to the paddock in the **Fifth Race on Thursday, January 16, 2025**.

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
ROY S. CAVE
CARLOS A. PARTIDA

CHARLES TOWN RACES

STEWARDS RULING

JANUARY 17, 2025

RULING #3

Apprentice Jockey, **Anthony Radcliffe** Permit #72427 DOB; 12/31/1993 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

Jockey **Radcliffe** failed to make his reported weight on **Thursday, January 16, 2024**.

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 PARTIDA**

CHARLES TOWN RACES

STEWARDS RULING

JANUARY 17, 2025

RULING #4

Apprentice Jockey, **Darwin Rodriguez**, Permit #75027 DOB; 06/06/1985 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

Jockey **Rodriguez** failed to make his reported weight on **Thursday, January 16, 2024**.

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 PARTIDA**

RULING #5

Jockey, **Arnaldo Bocachica**, Permit: #74968, DOB: 06/20/1988 is hereby fined **\$500.00 (FIVE HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-45.7.c.1**, which reads: "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul."

Jockey **Bocachica** let his mount "**Rolly**" drift out nearing the wire, taking the room away from "**He's a Commissioner**" causing his rider to take up in the **Second Race, Thursday, January 23, 2025**.

"Rolly" 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.

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS PARTIDA

RULING #6

Jockey, **Marshall Mendez**, Permit: #74651, DOB: 08/28/1995 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, **Mendez's** mount "**De's Castle**" ducked in sharply near the quarter pole causing "**Rocking to Home**" to take up and unseat his rider in the **Eighth Race, Thursday, January 23, 2025**.

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 #7

Owner/Trainer **Stephen W. Murdock**, Permit #74339, DOB 07/03/1987, is hereby fined **Two Hundred Dollars (\$200.00)** for not having his horse, **"Here's a Quarter"** in the paddock at the appointed time for the running of the **First (1st) Race on Friday February 7, 2025**, Per Rule of Racing #178-1-26.3.g, which states "Each Trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

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

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS A. PARTIDA

RULING NUMBER #8

Owner/Trainer, **Toschia Spriggs**, Permit #75108; DOB 5/11/1968, is hereby fined **Two Hundred (\$200) Dollars** for violation of West Virginia Rule of Racing Number **178-1-44.16.**, which reads in part: **"A horse is ineligible to start in a race: when there is no current test certificate for Equine Infectious Anemia (EIA) attached to its breed registration certificate or proof of a negative test certificate is not otherwise available."**

Ms. Spriggs failed to provide a valid coggins test for the horse, **"Montauk Daddy"** in the **Eighth (8th) Race on Saturday, February 8, 2025**, necessitating a late scratch.

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

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS A. PARTIDA

RULING #9

Apprentice Jockey, **Anthony Radcliffe**, Permit: #72427, DOB: 12/31/1993 is hereby **suspended three days, Thursday February 20, Friday February 21, and Saturday February 22, 2025** 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 **Radcliffe** let his mount "**Direct Appeal**" drift out near the eighth pole taking the room away from "**Love is Wicked**" causing his rider to take up, bumping and interfering with "**Big Bad Brass**" in the **Fourth Race, Thursday, February 13, 2025**.

"Direct Appeal" was disqualified from First (1st) and placed Sixth (6th)

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

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS PARTIDA

RULING #10

Jockey, **Darius Thorpe**, Permit: #72991, DOB: 5/08/1995 is hereby **suspended three days, Thursday February 27, Friday February 28, and Saturday March 1, 2025** 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 "**Super Bourbon**" drift in near the sixteenth pole taking the room away from "**Brd Computing**" causing his rider to clip heels with that rival and to be unseated, in the **Fourth Race, Wednesday, February 19, 2025**.

"**Super Bourbon**" finished directly in front of the fallen horse, leading to no disqualification.

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 PARTIDA

RULING #11

Jockey, **Darius Thorpe**, Permit: #74991, DOB: 05/08/1995 is hereby fined **\$200.00 (TWO HUNDRED DOLLARS)** for violation of **Rule of Racing, Number 178-1-24.15**, which reads in part. Failure to cooperate shall be a violation of this rule and shall subject a permit holder to discipline by the stewards and/or the Racing Commission up to and including revocation of his or her permit.

Jockey **Thorpe** failed to appear at the movies to review the **Fourth Race, Thursday February 19, 2025**.

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 #12

Jockey, **Justin M. Lewis**, Permit: #77805, DOB: 09/19/2000 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 **Lewis** let his mount "**Missionary**" drift in turning for home, taking the room away from "**Estrella Fugaz**" causing his rider to take up in the **Second Race, Friday, March 7, 2025**.

"Missionary" 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



ROY S. CAVE



CARLOS PARTIDA

RULING NUMBER #13**Trainer Timothy C. Kreiser****Permit #77960**

On **March 19, 2025** the Board of Stewards convened a hearing for **Trainer, Timothy C. Kreiser, Permit #77960 DOB 10/23/1963**. The official blood sample **#E565705** taken from the horse **"Alvy"** which finished **1st in the 7th race on Friday, January 24, 2025**, did contain **"Gabapentin"** at a concentration level of **5.7 ng/mL**. **Gabapentin** is a **Class 3** drug with a **Category B** penalty.

The Board of Stewards find the following:

Pursuant to **178 W. Va. C.S.R. 1, section 24.11.o**, the Stewards are authorized to take disciplinary action against a permit holder for violating any provision of the Thoroughbred Racing Rule. Pursuant to section **51.1.1a, of the Thoroughbred Racing Rule, 178 W.Va.C.S.R.1**: "The trainer is the absolute insurer of and responsible for the condition of the horses he or she enters in an official workout or a race, regardless of the acts of third parties. If testing or analysis of urine, blood or other bodily substances or tissues prove positive showing the presence of any prohibited drug, medication or substance, the trainer of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined. In addition, the owner of the horse, the foreman in charge of the horse, the groom, and any other person shown to have had the care, attendance of the horse may be fined, suspended, have his or her occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined."

Pursuant to **178 W. Va. C.S.R. 1, section 49.4.a.2.**, a finding by a Racing Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse, and in the case of a post-race test, was present in the horse's body while it was participating. Prohibited substances included controlled therapeutic medications in excess of established threshold concentrations as set forth in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule, Version 2.1., contained in Table 178-1 F of the Thoroughbred Racing Rule.

Pursuant to **178 W. Va. C.S.R. 1, Table 178-1 F**, there is no post-race threshold for **Gabapentin in urine or level of detection in plasma or serum**. Because of the presents of **Gabapentin in "Alvy" Mr. Kreiser** may be held responsible and his or her occupational permit disciplined pursuant to 178 W. Va. C.S.R. 1, sections 49.a.1. and 51.1.a.

The **Gabapentin** positive in **"Alvy"** is **Mr. Kreiser's First Offense** for a medication/substance violation carrying a **Category B** penalty in a 365 days period.

The permit holder has **0 points** under the multiple medication violation point system. **Mr. Kreiser** is assessed **4 points** for this **Gabapentin** medication/substance violation pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1**.

The penalty guidelines set forth in **Table 178 1 E** of the Thoroughbred Racing Rule provide a minimum penalty of a **\$500 fine, 15 day Suspension and loss of purse**, for a **First Offense Class 3** violation carrying a **Category B**. The Stewards determine the appropriate penalty for the underlying offense on a case by case basis by considering mitigating and aggravating factors. The following is an analysis of the factors set forth in section 49.1 of the Thoroughbred Racing Rule:

- 1. (Mitigating) The Permit holders past record:** The permit holder's past record indicates this is his first violation carrying a **Category B** penalty in his lifetime. This is his first medical violation of any kind since 2010. This is a mitigating factor.
- 2. (Mitigating) The potential of the drug to influence the horse's racing performance:** Pursuant to 178 W. Va. C.S.R. 1, section 49.2.d. **Class 3** drugs may influence performance, but generally have a more limited ability to do so. This is a mitigating factor although it is always of concern to the Stewards when a horse tests in excess of a threshold set forth in the Thoroughbred Racing Rule inasmuch as such thresholds are designed to ensure that horses aren't racing under the effects of the medication; to allow a state veterinarian conducting a pre-race examination to have as clean a look at the horse as is possible to make sure that the horse does not have some condition that would cause it to harm itself if it races, and to ensure the integrity of racing so that horse aren't racing under the effect of a medication that could affect performance.]
- 3. (Mitigating) The legal availability of the drug: Gabapentin** is legally available.

- 4. Whether there is reason to believe the permit holder knew of the administration of the drug or intentional administered the drug:** The permit holder knew nothing of the administration of the drug, nor the circumstances under which the drug may have been given. Therefore this factor is considered in weighing the penalty in this case.
- 5. The steps taken by the trainer to safeguard the horse:** In this case it is unknown what efforts the trainer made to ensure that the treatment of the horse. Therefore this factor is not considered in weighing the penalty in this case.
- 6. The probability of environmental contamination exposure due to human use:** This factor is not applicable to this case.
- 7. The purse of the race:** The race in question was a **Starter Optional Claiming** race with a **\$20,600 purse**. The Stewards place no weight, either aggravating or mitigating, based upon the purse in this case.
- 8. Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** Mr. Kreiser claims that this horse "Alvy" was not being treated with "Gabapentin" therefore, this factor is considered in weighing the penalty in this case.
- 9. Whether there was any suspicious betting pattern in the race:** There is no evidence of a suspicious betting pattern in this case and therefore, this factor is not considered in weighing the penalty in this case.
- 10. Whether the trainer was acting under the advice of a veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** Mr. Kreiser stated that he has never used or had any of his horses treated with Gabapentin. Therefore, this factor is considered in weighing the penalty in this case.

Based on the findings and **WV Rule of Racing 178-1-49.2.d Gabapentin** is a medication which is a **Class 3** with a **B Penalty**. Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. Kreiser's horse "Alvy" will be disqualified from all purse monies and Mr. Kreiser will have a total of 4 points on his record.** With the "Gabapentin" positive being the first medication violation in 365 days, and due to the presence of mitigating circumstances the Board of Stewards imposes **15 days suspension** of Mr. Kreiser's license and fined **(\$500.00) Five hundred dollars**, The suspension is stayed under the stipulation that Mr. Kreiser will not have another Class B violation through September 19, 2025. (180 days), or the 15 days suspension will accompany any fines or suspensions for additional violations.

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

- 1. #4 Pit Stop Man**
- 2. #3 Zen Master**
- 3. #7 Al Loves Josie**
- 4. #2 Subject to Change**
- 5. #8 Ridiculous**
- 6. #6 Battle of Bastogne**

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 #14

Trainer Murray L. Rojas

Permit #76725

On April 3, 2025, the Board of Stewards offered a hearing to Trainer, Murray L. Rojas, Permit #76725, DOB 01/13/1966, to which she waived her right to a hearing and elected not to send a split sample.

The Board of stewards find the following:

The official blood sample #E565946, taken on 03/21/2025 was reported by Industrial Laboratories, the official testing laboratory, to contain **Dexamethasone** which is a **Class 4** drug, with a **C Penalty** designation. Sample #E565946 contained **Dexamethasone** confirmed in the blood at **81.1 pg/mL**. The measurement uncertainty of the method is **0.58 pg/mL** at the threshold of **5 pg/mL**. The sample was taken from the **One (1) horse, "Over and Thunder"**, which ran in the **6th Race on 03/21/2025, 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 "**Over and Thunder**" exceeded the acceptable threshold set forth in **Table 178-1 F. Ms. Rojas** 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** positive in "**Over and Thunder**" is **Ms. Rojas' First Offense** in this category for a medication/substance violation since 2014

The permit holder has accumulated **0 points** under the multiple medication violation point system as a result of this issuance. **Ms. Rojas** 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 since 2015.
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 **\$13,800 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 **"Over and Thunder"** 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:

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

The horse "Over and Thunder" is disqualified from all purse money. Redistribution is as following:

1. #2 Chico Charlie
2. #8 Welling
3. #7 Practical Sense
4. #5 Brilliant Chase
5. #6 Award Nominated
6. #4 Captain Creed

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: April 4, 2025

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS A. PARTIDA

RULING #15

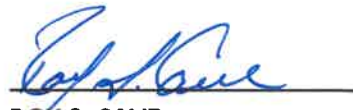
Trainer's license of **Robert N. Conti**, Permit #79260 DOB 10/11/1968 has been rescinded without prejudice.

Mr. Conti's trainers license was issued in error.

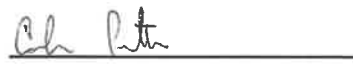
BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

A blue ink signature of Roy S. Cave, written in a cursive style, positioned above a horizontal line.

ROY S. CAVE

A blue ink signature of Carlos A. Partida, written in a cursive style, positioned above a horizontal line.

CARLOS A. PARTIDA

RULING #16**Trainer Jean L. Adorno****Permit #78616**

On **April 9, 2025**, the Board of Stewards offered a hearing to **Owner/Trainer, Jean L. Adorno, Permit #78616, DOB 02/22/1989**, 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 **#E565983**, taken on **03/29/2025** was reported by Industrial Laboratories, the official testing laboratory, to contain **Dexamethasone** which is a **Class 4** drug, with a **C Penalty**, designation. Sample **#E565983** contained **Dexamethasone** confirmed in the blood at **12.2 pg/mL**. The measurement uncertainty of the method is **0.54 pg/mL** at the threshold of **5 pg/mL**. The sample was taken from the **Four (4) horse, "Peggy's Way"**, which ran in the **9th Race on 03/29/2025**, 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 **"Peggy's Way"**, exceeded the acceptable threshold set forth in **Table 178-1 F**, **Mr. Adorno** 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 **"Peggy's Way"**, is **Mr. Adorno's First Offense** in this category for a medication/substance violation ever.

The permit holder has accumulated **0 points** under the multiple medication violation point system as a result of this issuance. **Mr. Adorno** 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 **\$13,300 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 **"Peggy's Way"** 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. Adorno's horse "Peggy's Way" will be disqualified from all purse money, this disqualification is justified due to the irrefutable drug positive, and **Mr. Adorno 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. Adorno is fined \$1000.00 dollars**.

The horse "Peggy's Way", is disqualified from all purse money. Redistribution is as following:

1. #8 Ding Ding
2. #1 Cherokee Castle
3. #9 O Shaughesey
4. #10 American Bound
5. #7 Emberly
6. #3 Martha's Heart

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: April 18, 2025

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS A. PARTIDA

RULING #17

Jockey, **Justin M. Lewis**, Permit: #77805, DOB: 09/19/2000 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 **Lewis** let his mount "**Kluyameanandnasty**" drift in down the stretch, taking the room away from "**O K Smarty Pants**" causing her rider to take up in the **Seventh Race, Saturday, April 19, 2025.**

"Kluyameanandnasty" was disqualified from Third (3rd) and placed Fifth (5th)

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

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



L. ROBERT LOTTS

RULING #18

Jockey, **Kyle T. Gilbert**, Permit: #71394, DOB: 3/01/1996 is hereby **suspended three days, Thursday May 1, Friday May 2, and Saturday May 3, 2025** 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 **Gilbert** let his mount "**Optimistic Nate**" drift in near the three eights pole taking the room away from "**Correlation**" causing his rider to take up, then at the quarter pole he let his mount veer out causing the rider of "**Powered by Love**" to clip heels with another rival in the **Eighth Race, Wednesday, April 23, 2025.**

"Optimistic Nate" was disqualified from Fourth (4th) and placed Seventh (7th).

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



L. ROBERT LOTTS

RULING #19

Owner/Trainer, **Kristy L. Petty**, Permit #78675, DOB 02/28/1978, having been afforded a **Board of Stewards** hearing on **April 29, 2025** 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 altercation at on **April 21, 2025**.

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

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

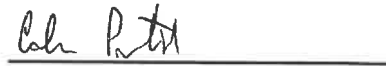
BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS A. PARTIDA

RULING #20

On **April 23, 2025**, the Board of Stewards notified **Owner/Trainer, Curtis W. Bass, Permit #74148 DOB 7/31/1962**, of a medication violation pertaining to his horse **“Crafty Windsor Cat”** who finished first (1st) in the ninth (9th) race on **Thursday April 10, 2025**.

The official sample **#E566026** taken on **April 10, 2025** was reported by Industrial Laboratories to contain **Benzoylecgonine**, in the blood. Pursuant to **Table 178-1 E** of the **Thoroughbred Racing Rule, 178 C.S.R. Benzoylecgonine** the main metabolite of cocaine, is a **Class 1** Drug, carrying a **Category A** penalty. The sample was taken from **“Crafty Windsor Cat”** which ran in **Race 9** on **April 10, 2025**, finishing **First (1st)**.

Mr. Bass waived his right to a hearing and elected not to send a split sample, the Board of Stewards finds the following.

Pursuant to section **49.4.a.1.** of the **Thoroughbred Racing Rule, 178 C.S.R. 1**, a finding by a Racing Commission approved laboratory of a prohibited drug, chemical or other substance in a post-race test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was present in the horse’s body while it was participating in a race. **Benzoylecgonine**, confirmed to be present in **“Crafty Windsor Cat”** body while it was participating in a race, is a drug or medication for which no acceptable threshold concentration has been established by the West Virginia Racing Commission.

Additionally, as the trainer of **“Crafty Windsor Cat”** **Curtis W. Bass** is the absolute insurer of and responsible for the condition of the horse he entered in the **9th race** at Charles Town who ran on **April 10, 2024. 178 C.S.R. 1, § 51.1.a.**

The Board of Stewards concludes that while **Mr. Bass** is responsible for the positive in **“Crafty Windsor Cat”** under **§ 51.1.a.** and the presence of the drug has been established to have been in the horse during the **9th race on April 10, 2025** there are mitigating factors which cause the Stewards to impose no penalty against **Mr. Bass’** permit in this matter. Those factors are as follows:

Mr. Bass’ past record as a permit holder is good in that he has never had a medication violation in any jurisdiction since his first license in 2018.

The amount of **Benzoylecgonine** found in the horse is a trace level which lends credibility to the probability that the horse was inadvertently exposed to the drug in some manner. Based upon an evaluation of the evidence, the Stewards conclude that the positive is attributable to inadvertent exposure.

There is no reason to believe that **Mr. Bass** knew of or caused the drug to be administered to the horse.

178 C.S.R. 1, §49.10.a, the Stewards are explicitly authorized to consider inadvertent exposure as a factor in determining medication violations. Further, pursuant to **§49.1.**, the Stewards are to determine medication violations on a case by case basis and may determine to impose no penalty against a trainer's permit, if warranted.

Weighing and balancing these factors, the Board of Stewards find that while **Mr. Bass** is held responsible for the positive in this case, the Stewards shall impose no penalty against **Mr. Bass'** permit. Therefore, the standard penalty for a first offense **Class A** medication violation (one-year suspension/\$10,000.00 fine) is not imposed in this matter. In addition, the Stewards do not impose the 6 Multiple Medication Violation points that would typically be imposed under **§ 49.3.m.** of the Thoroughbred Racing Rule.

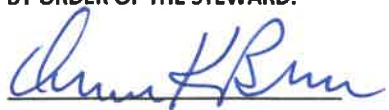
Because "**Crafty Windsor Cat**" was found to have carried **Benzoylcegonine** in its system during the running of the race, the purse of the race is ordered to be **Forfeited** and "**Crafty Windsor Cat**" is **Disqualified** from its **(1st) first place** finish in the **ninth (9th)** race on **April 10, 2025**. This disqualification is justified due to the irrefutable drug positive, even though **Mr. Bass'** permit was not disciplined in this matter. Although it is likely that the horse carried the drug in its system due to inadvertent exposure, it nonetheless carried the drug in its system which necessitates the disqualification to ensure the integrity of racing and to instill confidence in the betting public. The order of finish is hereby re-ordered as follows:

1. **#10 Let's Do This**
2. **#1 Mad Swann**
3. **#7 Princess Margaret**
4. **#8 Luzia**
5. **#3 Miss Argentina**
- 6 **#6 Silver Rules**

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 7, 2025

BY ORDER OF THE STEWARD:



DENVER K. BECKNER



ROY S. CAVE



CARLOS PARTIDA

RULING #22

Jockey, **Marshall Mendez**, Permit: #74651, DOB: 08/28/1995 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."

Jockey **Mendez** let his mount "**Im the Director**" come in down the backside taking the room away from "**Midnight Mesa**" causing his rider to take up in the **Eighth Race, Saturday, May 10, 2025**.

"Im the Director" was disqualified from Third (3rd) and placed Fifth (5th).

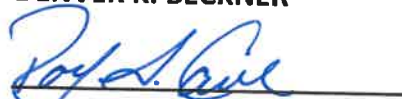
All fines imposed by the Stewards shall be paid to the Racing Commission within Seven (7) days after the ruling is issued, unless otherwise ordered by the Stewards, Per West Virginia **Rule of Racing Number 178-1-8.5.n**.

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS PARTIDA

RULING #23

Jockey, **Juan M. Nunez**, Permit: #74638, DOB: 07/15/1995 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."

Jockey **Nunez** let his mount "**Crafty Windsor Cat**" come in down the backside taking the room away from "**Miss Bee Bop**" causing her rider to take up sharply and lose his irons in the **Fourth Race, Friday, May 16, 2025**.

"**Crafty Windsor Cat**" finished behind "**Miss Bee Bop**" so there was no disqualification

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 PARTIDA

RULING #24

Jockey, **Arnaldo Bocachica**, Permit #74968 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 2** on **Thursday, May 22, 2025.**

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

BY ORDER OF THE STEWARDS:

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

DENVER K. BECKNER

A blue ink signature of Roy S. Cave, written in a cursive style, positioned above a horizontal line.

ROY S. CAVE

A blue ink signature of Carlos A. Partida, written in a cursive style, positioned above a horizontal line.

CARLOS A. PARTIDA

RULING #25

Jockey, **Sunday Diaz Jr.**, Permit #77471 DOB 08/17/2000 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, **Diaz**, used his crop excessively in **Race 2** on **Thursday, May 22, 2025.**

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 #26

Jockey, **Marshall J. Mendez**, Permit #74651 DOB: 08/28/1995 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

Jockey **Mendez** failed to make his reported weight on **Thursday, May 22, 2025**.

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 #27

Jockey, **Lawrence "Larry" C. Reynolds**, Permit: #76908, DOB: 12/26/1969 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 **Reynolds** let his mount "**Lil Miss Honkytonk**" come in down the stretch taking the room away from "**Dream Street Rose**" causing his rider to take up in the **Third Race, Friday, May 23, 2025**.

"Lil Miss Honkytonk" 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.

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS PARTIDA

RULING #28

Jockey, **Juan M. Nunez**, Permit #74638 DOB: 07/15/1991, is hereby fined **Two Hundred (\$200.00) 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."

Jockey **Nunez** failed to fulfill his riding engagements on **Saturday May 24, 2025**. Mr. **Nunez** failed to notify the EMT's that he was taking off his mount in the **8th Race**.

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 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 #29

Owner/Trainer, **Crystal G. Pickett** Permit: **#76894** DOB: **09/24/1980**, is fined **Five hundred dollars (\$500.00)** for being in violation of **WVRC rule 26.3.q** which reads:

No trainer shall move or permit to be moved any horse or horses under his or her custody, care or control into the association's grounds without permission from the association's racing secretary or his or her designee. No trainer shall move or permit to be moved any horse or horses under his or her custody, care or control out of the association's grounds without first signing out the horse on a form prescribed by the association and made available at the stable gate: *Provided*, That, for all horses stabled on the association grounds, permission is required from the association's racing secretary or his or her designee at the time of removal if the horse is entered to race or may be entered to race at another racetrack for a period of seven (7) days following the day of its removal from the association's grounds. No trainer shall move or permit to be moved any horse or horses under his or her custody, care or control into the association's grounds without presenting a current negative Coggins test for equine infectious anemia (EIA).

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS A. PARTIDA

RULING #30

Jockey, **Juan M. Nunez**, Permit #74638 DOB: 07/15/1995 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

Jockey **Nunez** failed to make his reported weight on **Friday, May 30, 2025**.

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 #31

Jockey, **Luis Angel Batista**, Permit #75690 DOB: 05/07/1990 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rule 178-1-45.5d** applicable part which reads. Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision.

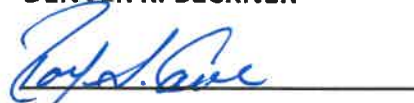
Jockey **Batista** failed to make his reported weight on **Friday, May 30, 2025**.

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 #32

Jockey, **Arnaldo Bocachica**, Permit #74968 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 7** on **Saturday, May 31, 2025.**

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 #33

Jockey, **Walter Cullum**, Permit #74680 DOB 08/21/1973 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Cullum** used his crop excessively in **Race 3** on **Thursday, June 5, 2025.**

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 "Roy S. Cave", written over a horizontal line.

ROY S. CAVE

A handwritten signature in blue ink, appearing to read "Carlos A. Partida", written over a horizontal line.

CARLOS A. PARTIDA

RULING #34

Jockey, **Fredy Peltroche**, Permit #78345 DOB 08/21/1973 is fined **One Hundred Dollars (\$100.00)** for being in violation of **Rules 178-1-45.7.f.5.** applicable part which reads. A rider who elects to use a riding crop, may not: **45.7.f.5.A.** Use the crop more than six (6) times during the race; and **45.7.f.5.B.** Use the crop more than two (2) times without allowing the horse to respond

Jockey **Peltroche** used his crop excessively in **Race 5** on **Saturday, June 7, 2025.**

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 #35

Jockey, **Sunday Diaz Jr.**, Permit #77471 DOB 08/17/2000 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, **Diaz**, used his crop excessively in **Race 3** on **Saturday, June 21, 2025.**

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 #36

Jockey, **Arnaldo Bocachica**, Permit #74968 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 6** on **Saturday, June 21, 2025.**

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 #37

Jockey, **Victor A. Rodriguez**, Permit #74248 DOB 07/22/1981 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 6** on **Saturday, June 21, 2025.**

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 #38

Veterinarian **Benjamin B. Dubois**, Permit #73978 DOB; 06/03/1990 is fined **Two Hundred Fifty Dollars (\$250.00)** for being in violation of **Rule 178-1-31.2**. The following provisions apply to the responsibilities of practicing veterinarians:

Rule 178-1-31.2.a. All practicing veterinarians administering drugs, medications or other substances shall be responsible for ensuring that the drugs, medications or other substances and the veterinary treatment of horses are administered in accordance with this rule.

Veterinarian **Dubois** mistakenly treated "**Petty Perfect**" with Lasix, "**Petty Perfect**" was entered in the **Seventh (7th) race on Saturday, June 21, 2025** and was treated two hours and forty minutes too early.

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 "Roy S. Cave", written over a horizontal line.

ROY S. CAVE

A handwritten signature in blue ink, appearing to read "Carlos A. Partida", written over a horizontal line.

CARLOS A. PARTIDA

RULING #40

Apprentice Jockey, **Jhorma Cespedes**, Permit: #75236 DOB: 06/21/2000 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 **Cespedes** let his mount "**Show Time Allen**" come out near the eighth pole taking the room away from "**Boundforabruisin**" causing his rider to take up in the **Fourth Race, Thursday, July 10, 2025**.

"Show Time Allen" was disqualified from Fourth (4th) and placed Fifth (5th)

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

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS PARTIDA

RULING #41

Jockey, **Javier Rivera**, Permit: #77522 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 "**Tiz the Reason**" come in leaving the chute taking the room away from "**Cowgirl Attitude**" causing his rider to take up in the **Fourth Race, Friday, July 11, 2025**.

"Tiz the Reason" was disqualified from second (2nd) and placed seventh (7th)

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 PARTIDA

RULING #42

Trainer: Angelo Jackson

Permit #74564

On July 15, 2025, the Board of Stewards offered a hearing to Owner/Trainer, Angelo Jackson, Permit #74564, DOB 08/15/1964, 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 #E566357, taken on 06/27/2025 was reported by Industrial Laboratories, the official testing laboratory, to contain Dexamethasone which is a Class 4 drug, with a C Penalty, designation. Sample #E566357 contained Dexamethasone confirmed in the blood at 13 pg/mL. The measurement uncertainty of the method is 0.67 pg/mL at the threshold of 5 pg/mL. The sample was taken from the Two (2) horse, "Eyesonthe candy", which ran in the 1st Race on 06/27/2025, 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 "Eyesonthe candy", exceeded the acceptable threshold set forth in Table 178-1 F. Mr. Jackson 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 "Eyesonthe candy", is Mr. Jackson's First Offense in this category for a medication/substance violation ever.

The permit holder has accumulated 0 points under the multiple medication violation point system as a result of this issuance. Mr. Jackson 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 **Maiden/Claiming** race with a **\$13,700** 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 **"Eyesonthecandy"** 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. Jackson's horse "Eyesonthecandy" will be disqualified from all purse money, this disqualification is justified due to the irrefutable drug positive, and **Mr. Jackson 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. Jackson is fined \$1000.00 dollars**.

The horse **"Eyesonthecandy"**, is disqualified from all purse money. Redistribution is as following:

1. #3 Aim to Please
2. #4 Tina's Back
3. #1 Count the Flowers
4. #6 Ginger Twist
5. #7 Vieste
6. #5 Enriqueta

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: July 16, 2025

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS A. PARTIDA

RULING #39

Apprentice Jockey, **Anthony Radcliffe**, Permit: #77646, DOB: 12/31/1993 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 **Radcliffe** let his mount "**Big Mo Gee**" come in near the eighth pole taking the room away from "**Cedar's Estate**" causing his rider to take up in the **First Race, Thursday, June 26, 2025**.

"Big Mo Gee" was disqualified from Third (3rd) and placed Fifth (5th)

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

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS PARTIDA

RULING #44

Owner/Trainer, Cynthia E. McKee

Permit #77443

On July 25, 2025, the Board of Stewards offered a hearing to Owner/Trainer, Cynthia E. McKee, Permit #77443, DOB 10/27/1957 to which she waived her right to a hearing regarding a medication violation pertaining to her horse "Overnight Pow Wow" who finished first (1st) in the third (3rd) race on Saturday, July 5, 2025.

The Stewards hereby find the following:

The official blood sample #E566393, taken on 7/05/25 was reported by Industrial Laboratories, the official testing laboratory, to contain **Methylprednisolone** which is a **Class 4** drug, with a **C Penalty**, designation. The permissible threshold for **Methylprednisolone** is **100 pg/ml** in blood. Sample #E566393 contained **153 pg/ml** of the drug, which is above the permissible threshold for this drug. The sample was taken from the **Seven (7) horse, "Overnight Pow Wow"**, which ran in the **8th Race on 4/25/25, finishing First (1st)**.

Ms. McKee 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 **Methylprednisolone** is **100 pg.ml** in the blood. Because the amount of **Methylprednisolone** in "**Overnight Pow Wow**", exceeded the acceptable threshold set forth in **Table 178-1 F**, Ms. McKee 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 **Methylprednisolone** positive in "**Overnight Pow Wow**", is Ms. McKee's **Second Offense** in this category for a medication/substance violation in a 365 days period.

The permit holder has accumulated **1/2 points** under the multiple medication violation point system as a result of the issuance of. Ms. McKee is assessed **½ point** for this **Methylprednisolone** 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. This was Ms. McKee's only medication violation in her 44 year career.
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: Methylprednisolone** 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 **Methylprednisolone** 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 \$29,800 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 the trainer stated that the horse was not being treated by a veterinarian with **Methylprednisolone**. Therefore, this factor is considered in weighing the penalty in this case.
9. **Whether there was any suspicious betting pattern in the race:** There is no evidence of a suspicious betting pattern in this case and therefore, this factor is not considered in weighing the penalty in this case.
10. **Whether the trainer was acting under the advice of a veterinarian licensed to practice in West Virginia and holding an occupational permit issued by the Racing Commission:** Inasmuch as there was no hearing in this matter but **Ms. McKee** stated in our meeting that the horse was not being treated with **Methylprednisolone** by a veterinarian. Therefore, this factor is considered in weighing the penalty in this case.

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Ms. McKee's horse "Overnight Pow Wow", will be disqualified from all purse monies and will have a total of ½ points on her record. With the Methylprednisolone positive being her second medication violation in 365 days, Ms. McKee is fined \$3000 dollars. The suspension is stayed under the stipulation that Ms. McKee will not have another violation through May 13, 2026. She cannot have any medication violations, or the 15 days suspension will accompany any fines or suspensions for additional violations.**

Re-Distribution is as following.

1. #6 Molly Factor
2. #2 Coal Country
3. #3 Kluyameanandnasty
4. #1 Ghostly Squal
5. #5 O K Smarty Pants
6. #4 Iheartrainacomm

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

BY ORDER OF THE STEWARDS:



DENVER K. BECKNER



ROY S. CAVE



CARLOS A. PARTIDA