CHARLES TOWN RACES **STEWARDS RULINGS** **MARCH 10, 2016**

RULING NUMBER 51

Apprentice Jockey, **Caitlyn Stoddard,** Permit #11597; SS xxx-xx-2431, is fined Five Hundred Dollars **($500.00)** for violation **Rule of Racing, Number 178-1-45.7.b.1**, which reads: "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horses in the race."

Jockey Stoddard, willfully allowed her mount **"Awake the Day"**, to drop in and cause interference to **"Mary Boppins"** going into the ¼ pole, during the running of the **Seventh Race on Saturday, March 5, 2015**

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

ISMAEL L. TREJO

CHARLES TOWN RACES **STEWARD RULING** **MARCH 10, 2016**

RULING NUMBER 52

Trainer, **Wayne Potts**, Permit #12704, SS# xxx-xx-8621, is hereby fined **Two-Hundred ($200.00) Dollars** for violation of **West Virginia Rules of Racing #178-1-26.3.e**, which reads, "Each trainer is responsible for representing an owner in making entries, declarations, scratches and in all matters pertaining to racing."

Mr. Potts failed to have his owner, Matthew Weinstein licensed before the running of the **Second Race, on March 9, 2016,** 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 178-1-8.5.n.**

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

ISMAEL L. TREJO

CHARLES TOWN RACES **STEWARD RULING** **MARCH 10, 2016**

RULING NUMBER 53

Owner/Trainer, **Jeff Runco**, Permit #12375, SS# xxx-xx-1210, having waived his right to a hearing, is hereby fined **Two-Hundred and Fifty ($250.00) Dollars** for violation of **West Virginia Rules of Racing #178-1-26.3.a**, which reads, "No trainer shall harbor, engage, retain, or employ any person not holding an occupational permit. Each trainer is responsible for ensuring that persons under his or her supervision or employment hold an occupational permit."

Mr. Runco allowed an unlicensed groom, in a restricted area (Test Barn) on March 3, 2016.

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 178-1-8.5.n.**

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

ISMAEL L. TREJO

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATION VIOLATION

RULING: 54

TO: Owner/Trainer, James L. Williams; Permit #10397; SS# xxx- xx-5806

On **March 11, 2016**, the Board of Stewards offered a hearing to **Owner/Trainer, James L. Williams** to which he waived his right to a hearing regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the Stewards hereby find the following:

The official blood sample **#193263** taken on **2/25/2016** was reported by Industrial Laboratories, official testing Laboratory, to contain **Phenylbutazone** above the authorized levels. Specifically, blood sample contained **2.9 ug/ml.**

The sample was taken from **"Son of a John"** which ran in the **First Race on 2/25/16 finishing sixth. This horse is a DkB/Br.g.4 Colonel John-Carlson's Queen by Lord Carson – Bred in KY.**

Mr. Williams elected to waive his right to the split sample testing.

The Stewards conclude that **James L. Williams** has violated section(s) **178-1-51.1.a** which reads, "The Trainer is absolute insurer of and responsible for the condition of the horses he 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, or 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."

In addition, because the permit holder has accumulated **"0"** points prior to this ruling and **"1"** point in connection with this ruling for a current total of **"1" point**, under the multiple medication violation point system, he/she is subject to an additional penalty of "NA" points pursuant to section **49.3.m.6. of 178 W. Va.C.S.R.1.** This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

This medication/prohibited substance violation is his **first offense for Phenylbutazone.**

The Penalty Guidelines set forth in **Table 178-1 F** of the Thoroughbred Racing Rules provide a **maximum penalty of $250.00 fine.**

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

A.) ***(Mitigating)*** The Permit holder's past record: **first drug violation**

B.) ***(Aggravating)*** The Potential of the drug to influence the horse's racing performance: **has potential**

C.) ***(Aggravating)*** The legal availability of the drug: **is widely available**

D.) ***(Mitigating)*** Whether there is reason to believe the permit holder knew of the administration of the drug or intentional administered the drug. **claims no knowledge**

E.) ***(Mitigating)*** The steps taken by the trainer to safeguard the horse: **N/A**

F.) (*Aggravating*) The probability of environmental contamination exposure due to human use: **N/A**

G.) (*Mitigating*) The purse of the race: **N/A**

H.) (*Aggravating*) 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. **N/A**

I.) (*Mitigating*) Whether there was any suspicious betting pattern in the race: **N/A**

J.) (*Mitigating*) 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. **N/A**

K.) Others factors deemed relevant by the Stewards: **N/A**

L.) Based on the above, the Stewards hereby impose the following penalty for the underlying offense: Mr. Williams will be fined $250.00.

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

Dated: March 11, 2016

BY ORDER OF THE STEWARDS

DANNY R. WRIGHT

LAURENCE A. DUPUY

ISMAEL L. TREJO

CHARLES TOWN RACES **STEWARDS RULING** **MARCH 12, 2016**

RULING NUMBER 55

Owner/Trainer, **Crystal Pickett**, Permit # 12560; SS# xxx-xx-4647, is hereby fined **Two-Hundred ($200) Dollars** for violation of Rule of Racing #178-1-44.1, which reads: "A horse is ineligible to start in a race when: its breed certificate is not on file with the association's racing secretary, one-half hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the stewards' satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race.

Ms. Pickett failed to have foal papers on file for the horse **"Contribution"** for the running of the **First (1st) Race, Friday, March 11, 2016,** necessitating a late scratch.

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

ISMAEL L. TREJO

CHARLES TOWN RACES **STEWARDS RULINGS** **MARCH 16, 2016**

RULING NUMBER 56

Apprentice Jockey, **Mohamed Osman,** Permit #11008; SS xxx-xx-2815, is **suspended for fourteen days**, starting **Thursday, March 18, 2016 through and including Thursday, March 31, 2016**, for violation **Rule of Racing #178-1-45.7.b.1**, which reads: "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horses in the race," and **#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 Osman, carelessly swerved in front of **"Mommy Did It"**, during the backside run in the **8th Race on Friday, March 11, 2016**, causing **"Mommy Did It"** to clip heels and fall.

Jockey **Osman's** mount, **"Residual Value"** was disqualified from **second and placed last.**

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

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

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

L. Robert Lotts

L. ROBERT LOTTS

CHARLES TOWN RACES **STEWARDS RULING** **MARCH 16, 2016**

RULING NUMBER 57

Jockey, Jose Montano, Permit #27285; SS# [illegible] 1497 is hereby fined ($1000.00) One thousand Dollars for violation of **Rule of Racing #178-1-28.3.a**, which reads, "A jockey shall give a best effort during a race, and each horse shall be ridden to win. A jockey shall not ease up on or coast to the finish, without reasonable cause, even if the horse has no apparent chance to win prize money." Mr. Montano did not put forth his best effort on his mount **"Zillions"** (4), during the running of the **Second Race, on Wednesday, March 2, 2016**

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

L. ROBERT LOTTS

CHARLES TOWN RACES **STEWARDS RULING** **MARCH 17, 2016**

RULING NUMBER 58

Jockey, **Luis Batista**; Permit Number #12139; SS# xxx-xx-0427, is hereby fined One -Hundred ($100.00) Dollars for violation of West Virginia Rule of Racing Number **178-1-46.3.h** which reads, "No person shall make a frivolous protest. " This occurred in the running of the **Second Race on Saturday, March 12, 2016.**

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

ISMAEL L. TREJO

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATION VIOLATION

RULING: 59

TO: Owner/Trainer, Jeff Runco; Permit #12375; SS# xxx- xx-1210

On **March 18, 2016**, the Board of Stewards offered a hearing to **Owner/Trainer, Jeff Runco** to which he waived his right to a hearing regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the Stewards hereby find the following:

The official blood sample **#193307** taken on **3/03/2016** was reported by Industrial Laboratories, official testing Laboratory, to contain **Triamcinolone acetonide** above the authorized levels. Specifically, blood sample contained **192pg/ml.**

The sample was taken from **"Ready to Serve"** which ran in the **First Race on 2/25/16 finishing first. This horse is a CH.g.4 More than Ready-Crystal River by River by Black Tie Affair (IRE)-Bred in KY**

Mr. Runco elected to waive his right to the split sample testing.

The Stewards conclude that **Jeff Runco** has violated section(s) **178-1-51.1.a** which reads, "The Trainer is absolute insurer of and responsible for the condition of the horses he 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, or 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."

In addition, because the permit holder has accumulated **"0"** points prior to this ruling and **"1"** point in connection with this ruling for a current total of **"1" point**, under the multiple medication violation point system, he/she is subject to an additional penalty of "NA" points pursuant to section **49.3.m.6. of 178 W. Va.C.S.R.1.** This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

This medication/prohibited substance violation is his **first offense** for **Triamcinolone acetonide.**

The Penalty Guidelines set forth in **Table 178-1 F** of the Thoroughbred Racing Rules provide a **minimum penalty of $1000.00 fine, and loss of purse.**

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

A.) ***(Mitigating)*** The Permit holder's past record: **minimal drug violations**

B.) ***(Aggravating)*** The Potential of the drug to influence the horse's racing performance: **has potential**

C.) ***(Aggravating)*** The legal availability of the drug: **is widely available**

D.) ***(Mitigating)*** Whether there is reason to believe the permit holder knew of the administration of the drug or intentional administered the drug. **claims no knowledge**

E.) ***(Mitigating)*** The steps taken by the trainer to safeguard the horse: **N/A**

F.) (***Aggravating***) The probability of environmental contamination exposure due to human use: **N/A**

G.) (***Mitigating***) The purse of the race: **N/A**

H.) (***Aggravating***) 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. **N/A**

I.) (***Mitigating***) Whether there was any suspicious betting pattern in the race: **N/A**

J.) (***Mitigating***) 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. **N/A**

K.) Others factors deemed relevant by the Stewards: **N/A**

L.) Based on the above, the Stewards hereby impose the following penalty for the underlying offense: Mr. Runco will be fined $1000.00 and the purse ordered to be redistributed.

Redistribution of purse is as follows:

1. **Rollforward**
2. **Wheres the Duke**
3. **Angelic Flight**
4. **Jimmy Too**
5. **Don Don Cat**
6. **Gennaro**

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

Dated: March 19, 2016

BY ORDER OF THE STEWARDS

DANNY R. WRIGHT

LAURENCE A. DUPUY

ISMAEL L. TREJO

F.) (***Aggravating***) The probability of environmental contamination exposure due to human use: **N/A**

G.) (***Mitigating***) The purse of the race: **N/A**

H.) (***Aggravating***) 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. **N/A**

I.) (***Mitigating***) Whether there was any suspicious betting pattern in the race: **N/A**

J.) (***Mitigating***) 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. **N/A**

K.) Others factors deemed relevant by the Stewards: **N/A**

L.) Based on the above, the Stewards hereby impose the following penalty for the underlying offense: Mr. Runco will be fined $1000.00 and the purse ordered to be redistributed.

Redistribution of purse is as follows:

1. **Rollforward**
2. **Wheres the Duke**
3. **Angelic Flight**
4. **Jimmy Too**
5. **Don Don Cat**
6. **Gennaro**

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

Dated: March 19, 2016

BY ORDER OF THE STEWARDS

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

ISMAEL L. TREJO

V RCI

CHARLES TOWN RACES **STEWARDS RULINGS** **MARCH 23, 2016**

RULING NUMBER 60

Jockey, **Tracy Hebert,** Permit # 11298; SS# xxx-xx-2676, is hereby fined **Two Hundred ($200) Dollars** for violation of West Virginia Rule of Racing Number 178-1-28.3.b, which reads: "A jockey shall faithfully fulfill all engagements in respect to racing."

Mr. Hebert failed to fulfill his riding engagements on **Thursday, March 17, 2016,** necessitating a late rider change.

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

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

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

L. Robert Lotts

L. ROBERT LOTTS

CHARLES TOWN RACES STEWARDS RULING MARCH 23, 2016

RULING NUMBER 61

Owner/Assistant Trainer, **Lori Udall**, Permit #12271; SS#: xxx-xx-2605, has been rescinded as of March 24, 2016. Ms Udall's new permit number for **Owner/Trainer #13232** has been issued and expires 12/16.

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

L. ROBERT LOTTS

LAURENCE A. DUPUY

CHARLES TOWN RACES STEWARDS RULING MARCH 23, 2016

RULING NUMBER 62

Owner/Trainer, **Michael Pearson**, Permit #11178; SS#: xxx-xx-4492, has been rescinded as of March 24, 2016, without prejudice.

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

L. ROBERT LOTTS

LAURENCE A. DUPUY

CHARLES TOWN RACES **STEWARDS RULINGS** **MARCH 25, 2016**

RULING NUMBER 63

Apprentice Jockey, **Kevin Roman,** Permit #12597; SS#: xxx-xx-0715 is hereby suspended **Four (4) Race Days**, beginning **Wednesday, March 30, 2016, Thursday, March 31, Friday, April 1, and Saturday, April 2, 2016,** for violation of Rules 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."

Mr. Roman is suspended for allowing his mount **(1) "North Atlantic"**, to drift in, and cause interference to **(2) "Siente El Viento"**, during the running of the **Eighth (8th) Race on Wednesday, March 23, 2016.**

His mount, **"North Atlantic"** was **disqualified** from **First (1st)** and placed **Third (3rd).**

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

ISMAEL L. TREJO

CHARLES TOWN RACES **STEWARD RULING** **MARCH 25, 2016**

RULING NUMBER 64

Owner/Trainer, **Steven Krebs**, Permit #10344, SS# xxx-xx-5582, having waived his right to a Board of Stewards hearing, scheduled for, Friday, March 25, 2016 is hereby fine **One-Hundred and Twenty Five dollars ($125.00)** for being in violation of West **Virginia Rules of Racing #178-1-26.3.a**, which reads, "No trainer shall harbor, engage, retain, or employ any person not holding an occupational permit. Each trainer is responsible for ensuring that persons under his or her supervision or employment hold an occupational permit."

Mr. Krebs retained an unlicensed groom, in a restricted area, (Test Barn) after the running of the **Sixth Race (6th), March 10, 2016.**

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 178-1-8.5.n.**

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

ISMAEL L. TREJO

CHARLES TOWN RACES **STEWARDS RULING** **MARCH 26, 2016**

RULING NUMBER 65

Groom, **Jose A Cruz,** Permit #11637; SS # xxx-xx-5957

Mr. Cruz's Occupational **Permit #11637, expiration date 8-16,** has been hereby suspended by the Board of Stewards as of **March 26, 2016**, for failure to present a valid Citizenship Card, per **West Virginia Rules of Racing #178-1-24.11**, which reads, "Grounds for denial, suspension or revocation of Permit. The Racing Commission and/or the stewards may, in their discretion, refuse to issue or re-new 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."

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

ISMAEL L. TREJO

CHARLES TOWN RACES **STEWARDS RULINGS** **MARCH 29, 2016**

RULING NUMBER 66

Apprentice Jockey, **Ivan Perez,** Permit #11367; SS xxx-xx-4308, is **suspended for fourteen calendar days**, starting **Friday, April 1, through and including Thursday, April 14, 2016**, for violation **Rule of Racing #178-1-45.7.b.1**, which reads: "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horses in the race," and **#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."

Apprentice Jockey Perez, allowed his mount **"Bopcopy"** to drift in and cause interference, dropping jockey Kevin Roman, on (#1) "Rockabye Bayzee", during the running of the **Second Race, on Friday, March 25, 2016.**

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

DENVER BECKNER

CHARLES TOWN RACES **STEWARDS RULINGS** **MARCH 29, 2016**

RULING NUMBER 67

Jockey, **Victor Rodriguez,** Permit #10812; SS#: xxx-xx-6891 is hereby suspended **Four (4) Race Days**, beginning **Friday, April 1, 2016, Saturday, April 2, Wednesday, April 6, and Thursday, April 7, 2016,** for violation of Rules 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."

Mr. Rodriguez is suspended for allowing his mount **(4) "Bethwithoutthe halo"**, to drift in, and cause interference to **(5) "Out with bigdaddy"**, during the running of the **Seventh (7th) Race, Friday, March 25, 2016.**

His mount, **"Bethwithoutthehalo"** was **disqualified** from **Fourth** and placed **Fifth.**

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

DENVER BECKNER

CHARLES TOWN RACES **STEWARDS RULINGS** **APRIL 5, 2016**

RULING NUMBER 69

Trainer, **Renaldo Richards**, Permit #12027; SS xxx-xx-4796, is hereby fined **Two Hundred Dollars ($200)**, for violation of West Virginia Rule of Racing Number **178-1-43.1**, which reads in part: "Any horse which has not raced for a period of sixty (60) days shall have one (1) published workout, or a workout certified by the clocker, to be announced over the public address system prior to the horse starting."

Mr. Ricardo failed to have a published work, for the horse **"It's Flashy"** in the third race, on Friday, April 1, 2016, 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 the ruling and must include a security fee in the amount of $100.00.

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

DENVER BECKNER

CHARLES TOWN RACES **STEWARDS RULINGS** **APRIL 5, 2016**

RULING NUMBER 70

Jockey, **Oscar Flores,** Permit #10841; SS# xxx-xx-2129 is hereby fined **($500) 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."

During the running of the **Fourth (4th) Race, on Friday, April 1, 2016,** Mr. Flores, mount **"Peb Hughes" (4)** crossed over in front of **"Volstead" (2)**, when way not clear and caused interference.

Mr. Flores's mount was **not disqualified.**

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

DENVER BECKNER

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATION VIOLATION

RULING: 71

TO: **Owner/Trainer, John A. Casey; Permit #10845; SS# xxx- xx-8866**

On **April 8, 2016**, the Board of Stewards offered a hearing to **Owner/Trainer John A. Casey** to which he waived his right to a hearing, regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#193449** taken on **3/24/2016** was reported by Industrial Laboratories, official testing Laboratory, to contain **Triamcinolone Acetonide**, which is a **Class 4 drug**, with a **Penalty C** designation. **Sample #193449** contained **200pg/ml** of the drug. The permissible threshold for this drug is **100pg/ml.** The sample was taken from the **Six (6)** horse, **"Romantic Cork"**, which ran in the **Fourth (4th) Race** on **March 24, 2016**, finishing **Fourth (4th).**

Owner/Trainer, John A. Casey elected to waive his right to the split sample testing.

The Stewards conclude that **Mr Casey** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W.Va C.S.R.1. This medication/prohibited substance violation is the permit holder's **First Offense.** The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **1 point** pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1.** This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

This medication/prohibited substance violation is his **first offense for Triamcinolone Acetonide.**

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide a **minimum penalty of $1000.00 fine, and loss of purse.**

The following is the stewards' analysis of the mitigating/aggravating factors in this matter:

A.) ***(Mitigating)*** The Permit holder's past record: **minimal drug violations**

B.) ***(Aggravating)*** The Potential of the drug to influence the horse's racing performance: **has potential**

C.) ***(Aggravating)*** The legal availability of the drug: **is widely available**

D.) ***(Mitigating)*** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug.

E.) ***(Mitigating)*** The steps taken by the trainer to safeguard the horse: **N/A**

F.) ***(Aggravating)*** The probability of environmental contamination exposure due to human use: **N/A**

G.) ***(Mitigating)*** The purse of the race: **N/A**

H.) ***(Aggravating)*** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **N/A**

I.) ***(Mitigating)*** Whether there was any suspicious betting pattern in the race: **N/A**

J.) ***(Mitigating)*** 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. **N/A**

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. Casey** will be fined **$1000.00** and the **purse ordered to be redistributed,** and the additional penalty of **1 point** under the multiple medication violation point systems, for a total penalty of **1 point.**

"Romantic Cork" is disqualified from Fourth Place, and Redistribution of purse is as follows:

1. **Tribal Heat**
2. **New London**
3. **Candy Castle**
4. **Indigo Sky**
5. **Ballerina Dancer**

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

Dated: April 9, 2016

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

CHARLES TOWN RACES **STEWARDS RULINGS** **APRIL 13, 2016**

RULING NUMBER 72

Jockey, **Antonio Lopez,** Permit #10899; SS# xxx-xx-0310 is hereby fined **($500) 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."

During the running of the **Fifth (5th) Race, on Thursday, April 7, 2016,** Mr. Lopez, allowed his mount **"Gold Sovereign"** to drift over while not clear and cause interfere to **"He's Royal"** during the stretch run.

Mr. Lopez's mount was **not disqualified**.

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

DENVER BECKNER

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATION VIOLATION

RULING: 73

TO: Trainer, Curtis Weller; Permit #11543; SS# xxx- xx-9763

On **April 9, 2016**, the Board of Stewards offered a hearing to **Trainer, Curtis Weller** to which he waived his right to a hearing, regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#193440** taken on **3/23/2016** was reported by Industrial Laboratories, official testing Laboratory, to contain **Phenylbutazone,** which is a **Class 4 drug,** with a **Penalty C** designation. **Sample #193440** contained **3.5 ug/ml** of the drug. The permissible threshold for this drug is **2ug/ml**. The sample was taken from the **Two (2)** horse, **"Lady Eleanor"**, which ran in the **Sixth (6th) Race** on **March 23, 2016**, finishing **Fifth.**

Trainer, Curtis Weller elected to waive his right to the split sample testing.

The Stewards conclude that **Mr Weller** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W.Va C.S.R.1. This medication/prohibited substance violation is the permit holder's **First Offense.** The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **1 point** pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1.** This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

This medication/prohibited substance violation is his **first offense for Phenylbutazone.**

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide a **minimum penalty of written warning and a maximum penalty of $500.00** fine for the underlying offense. However, 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 the stewards' analysis of the mitigating/aggravating factors in this matter:

A.) ***(Mitigating)*** The Permit holder's past record: **No Rule Violations**

B.) ***(Aggravating)*** The Potential of the drug to influence the horse's racing performance: **N/A**

C.) ***(Aggravating)*** The legal availability of the drug: **is widely available**

D.) ***(Mitigating)*** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Permit Holder Knew**

E.) ***(Mitigating)*** The steps taken by the trainer to safeguard the horse: **N/A**

F.) ***(Aggravating)*** The probability of environmental contamination exposure due to human use: **N/A**

G.) ***(Mitigating)*** The purse of the race: **N/A**

H.) ***(Aggravating)*** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **Horse was being treated**

I.) ***(Mitigating)*** Whether there was any suspicious betting pattern in the race: **N/A**

J. ***(Mitigating)*** Weather 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. YES

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. Weller will be fined $250.00 and "Lady Eleanor" is not disqualified from its 5th place finish.**

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

Dated: April 15, 2016

BY ORDER OF THE STEWARDS:

L. Robert Lotts

L. ROBERT LOTTS

Laurence A. Dupuy

LAURENCE A. DUPUY

MICHAEL PEARSON

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATION VIOLATION

RULING: 73

TO: Trainer, Curtis Weller; Permit #11543; SS# xxx- xx-9763

On **April 9, 2016**, the Board of Stewards offered a hearing to **Trainer, Curtis Weller** to which he waived his right to a hearing, regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#193440** taken on **3/23/2016** was reported by Industrial Laboratories, official testing Laboratory, to contain **Phenylbutazone,** which is a **Class 4 drug,** with a **Penalty C** designation. **Sample #193440** contained **3.5 ug/ml** of the drug. The permissible threshold for this drug is **2ug/ml.** The sample was taken from the **Two (2)** horse, **"Lady Eleanor"**, which ran in the **Sixth (6th) Race** on **March 23, 2016**, finishing **Fifth.**

Trainer, Curtis Weller elected to waive his right to the split sample testing.

The Stewards conclude that **Mr Weller** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W.Va C.S.R.1. This medication/prohibited substance violation is the permit holder's **First Offense.** The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **1 point** pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1.** This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

This medication/prohibited substance violation is his **first offense for Phenylbutazone.**

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide a **minimum penalty of written warning and a maximum penalty of $500.00** fine for the underlying offense. However, 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 the stewards' analysis of the mitigating/aggravating factors in this matter:

A.) ***(Mitigating)*** The Permit holder's past record: **No Rule Violations**

B.) ***(Aggravating)*** The Potential of the drug to influence the horse's racing performance: **N/A**

C.) ***(Aggravating)*** The legal availability of the drug: **is widely available**

D.) ***(Mitigating)*** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Permit Holder Knew**

E.) ***(Mitigating)*** The steps taken by the trainer to safeguard the horse: **N/A**

F.) ***(Aggravating)*** The probability of environmental contamination exposure due to human use: **N/A**

G.) ***(Mitigating)*** The purse of the race: **N/A**

H.) ***(Aggravating)*** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **Horse was being treated**

I.) ***(Mitigating)*** Whether there was any suspicious betting pattern in the race: **N/A**

J. *(Mitigating)* Weather 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. YES

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. Weller will be fined $250.00 and "Lady Eleanor" is not disqualified from its 5th place finish.**

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

Dated: April 15, 2016

BY ORDER OF THE STEWARDS:

L. Robert Lotts

L. ROBERT LOTTS

Laurence A. Dupuy

LAURENCE A. DUPUY

MICHAEL PEARSON

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATION VIOLATION

RULING: 73

TO: Trainer, Curtis Weller; Permit #11543; SS# xxx- xx-9763

On **April 9, 2016**, the Board of Stewards offered a hearing to **Trainer, Curtis Weller** to which he waived his right to a hearing, regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#193440** taken on **3/23/2016** was reported by Industrial Laboratories, official testing Laboratory, to contain **Phenylbutazone,** which is a **Class 4 drug,** with a **Penalty C** designation. **Sample #193440** contained **3.5 ug/ml** of the drug. The permissible threshold for this drug is **2ug/ml.** The sample was taken from the **Two (2)** horse, **"Lady Eleanor"**, which ran in the **Sixth (6th) Race** on **March 23, 2016**, finishing **Fifth.**

Trainer, Curtis Weller elected to waive his right to the split sample testing.

The Stewards conclude that **Mr Weller** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W.Va C.S.R.1. This medication/prohibited substance violation is the permit holder's **First Offense.** The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **1 point** pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1.** This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

This medication/prohibited substance violation is his **first offense for Phenylbutazone.**

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide a **minimum penalty of written warning and a maximum penalty of $500.00** fine for the underlying offense. However, 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 the stewards' analysis of the mitigating/aggravating factors in this matter:

A.) ***(Mitigating)*** The Permit holder's past record: **No Rule Violations**

B.) ***(Aggravating)*** The Potential of the drug to influence the horse's racing performance: **N/A**

C.) ***(Aggravating)*** The legal availability of the drug: **is widely available**

D.) ***(Mitigating)*** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Permit Holder Knew**

E.) ***(Mitigating)*** The steps taken by the trainer to safeguard the horse: **N/A**

F.) **(*Aggravating*)** The probability of environmental contamination exposure due to human use: **N/A**

G.) **(*Mitigating*)** The purse of the race: **N/A**

H.) **(*Aggravating*)** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **Horse was being treated**

I.) **(*Mitigating*)** Whether there was any suspicious betting pattern in the race: **N/A**

J.) ***(Mitigating)*** 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. **Yes**

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. Weller** will be fined **$250.00** and **"Lady Eleanor" is not qualified from its 5th place finish.**

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

Dated: April 15, 2016

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

Michael Pearson

MICHAEL PEARSON

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

RULING #: 74

TO: **Owner/Trainer, James D. Locklear**; Permit #10745; SS# xxx- xx -1529

The official blood and urine sample **193480** taken on **03/30/16** was reported by Industrial Testing Laboratory to contain **Flunixin** above the authorized levels. Specifically, blood sample contained **49.5 mg/ml.** The sample was taken from **"Point of Rocks"** which ran in the **First Race** on **03/30/16** finishing **Fifth.**

The Stewards conclude that **Mr. Locklear** has violated section(s) **178-1-49.6.a.1** and **178-1-49.6.a.1.A,** which reads, "Not to exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection at least twenty-four (24) hours before post time for the race in which the horse is entered.

The Penalty Guidelines set forth in Table 178-1 of the Thoroughbred Racing Rules provide a penalty of **Two Hundred Fifty ($250) Dollar fine.**

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

A. **(Mitigating)**The permit holder's past record. **First Offense at This Level within a year.**

B. **(Mitigating))**The potential of the drug to influence the horse's racing performance. **Not at this level**

C. **(Aggravating)** The legal availability of the drug. **Legal**

D. **(Mitigating)** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Knew of administration**

E. **(Mitigating)** The steps taken by the trainer to safeguard the horse. **N/A**

F. **(Aggravating)** The probability of environmental contamination or inadvertent exposure due to human drug use. **N/A**

G. **(Mitigating)** The purse of the race. **N/A**

H. **(Aggravating)** Whether the drug found was one for which the drug was receiving a treatment as documented by the treating veterinarian's treatment records. **N/A**

I. **(Mitigating)** Whether there was any suspicious betting pattern in the race. **N/A**

J. **(Mitigating)** 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. **N/A**

K. **(Mitigating)** Other factors deemed relevant by the Stewards. **N/A**

L. Based on the above, the Stewards hereby impose the following penalty: **A Two Hundred Fifty ($250) Dollar fine.**

You have the right to appeal this Ruling to the Racing Commission. Your appeal must be received in the Commission Office within 20 Days of your receipt of this Ruling and must include a security fee in the amount of $100.

Dated: April 15, 2016

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

CHARLES TOWN RACES **STEWARDS RULING** **APRIL 15, 2016**

RULING NUMBER 75

Trainer, **M. Joanna Boggs**; Permit # 12108; SS# xxx-xx- 6225, is hereby fined **Two-Hundred Dollars** for violation of West Virginia Rule of Racing Number **178-1-49.7.e.1**., which reads in part: "**A horse scheduled to race that is permitted to use furosemide(Lasix) shall be administered furosemide(Lasix) by a veterinarian employed by the owner or trainer and holding a permit issued by the Racing Commission, unless, under subdivision 49.7.f. of this rule, the horse has been declared off of furosemide (Lasix) by its owner or trainer. The Furosemide (Lasix) must be administered a minimum of four (4) hours before the scheduled post time for the race in which the horse is entered and must be administered under the supervision of a person employed by the Racing Commission.**"

Ms. Boggs failed to have the horse "**High End Gal**" available for Lasix treatment at appropriate time, necessitating a late scratch in the **First Race on Thursday, April 14, 2016.**

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

CHARLES TOWN RACES **STEWARDS RULINGS** **APRIL 16, 2016**

RULING NUMBER 76

Trainer, **Keisy Cartagena,** Permit # 11436; SS # XXX-XX-7288, is hereby fined **Five Hundred ($500) Dollars** for violation of **Rule of Racing # 178-1-26.3.g**, which states, "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Trainer, **Keisy Cartagena** failed to be in the paddock with the horse **"Love Rules All"**, at the time appointed, for the running of the **Third Race on Friday, April 15, 2016, necessitating a late scratch.**

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

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

BY THE ORDER OF THE STEWARDS:

MICHAEL PEARSON

LAURENCE A. DUPUY

L. ROBERT LOTTS

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATION VIOLATION

RULING: 76

TO: Trainer, Earl McCormick; Permit #12209; SS# xxx- xx-9876

On **April 16, 2016**, the Board of Stewards offered a hearing to **Trainer, Earl H. McCormick**, to which he waived his right on the allegations stated.

Trainer, Earl H. McCormick elected to waive his right to the split sample testing.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#193501** taken on **4/01/2016** was reported by Industrial Laboratories, official testing Laboratory, to contain **Clenbutarol,** which is a **Class 3 drug,** with a **Penalty B** designation. **Sample #193501** contained **30 pg/ml** of the drug. There is no permissible threshold for this drug in the blood, the sample was taken from the **Three (3)** horse, **"Tucan Tango"**, which ran in the **First Race** on **April 1, 2016**, finishing **First.**

The Stewards conclude that **Mr. McCormick** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W.Va C.S.R.1. This medication/prohibited substance violation is the permit holder's **First Offense.** The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **2 points,** pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1.** This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

This medication/prohibited substance violation is his **first offense for Clenbutarol.**

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide **a minimum penalty of $500.00** fine, and minimum of fifteen days suspension, with disqualification, and loss of purse for the underlying offense. However, 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 the stewards' analysis of the mitigating/aggravating factors in this matter:

A.) ***(Mitigating)*** The Permit holder's past record: **No Rule Violations**

B.) ***(Aggravating)*** The Potential of the drug to influence the horse's racing performance: **N/A**

C.) ***(Aggravating)*** The legal availability of the drug: **is widely available**

D.) ***(Mitigating)*** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Permit Holder Knew**

E.) ***(Mitigating)*** The steps taken by the trainer to safeguard the horse: **N/A**

F.) ***(Aggravating)*** The probability of environmental contamination exposure due to human use: **N/A**

G.) ***(Mitigating)*** The purse of the race: **N/A**

H.) ***(Aggravating)*** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **N/A**

I.) (***Mitigating***) Whether there was any suspicious betting pattern in the race: **N/A**

J.) (***Mitigating***) 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. **N/A**

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. McCormick** will be fined **$500.00, with disqualification and loss of purse**, and is **suspended 15 days; suspension begins, Sunday, April 24, 2016 through and including Sunday, May 8, 2016.**

Redistribution of Purse is as follows:

1. **Officer Buster**
2. **Hello Canaan**
3. **Magical Punch**
4. **Right On the Money**
5. **Austin's Xchanger**

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

Dated: April 16, 2016

BY ORDER OF THE STEWARDS:

L. Robert Lotts

L. ROBERT LOTTS

Laurence A. Dupuy

LAURENCE A. DUPUY

Michael Pe

MICHAEL PEARSON

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATION VIOLATION

RULING: 76

TO: Trainer, Earl McCormick; Permit #12209; SS# xxx- xx-9876

On **April 16, 2016**, the Board of Stewards offered a hearing to **Trainer, Earl H. McCormick**, to which he waived his right on the allegations stated.

Trainer, Earl H. McCormick elected to waive his right to the split sample testing.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#193501** taken on **4/01/2016** was reported by Industrial Laboratories, official testing Laboratory, to contain **Clenbutarol**, which is a **Class 3 drug**, with a **Penalty B** designation. **Sample #193501** contained **30 pg/ml** of the drug. There is no permissible threshold for this drug in the blood, the sample was taken from the **Three (3)** horse, **"Tucan Tango"**, which ran in the **First Race** on **April 1, 2016**, finishing **First.**

The Stewards conclude that **Mr. McCormick** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W.Va C.S.R.1. This medication/prohibited substance violation is the permit holder's **First Offense.** The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **2 points**, pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1.** This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

This medication/prohibited substance violation is his **first offense for Clenbutarol.**

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide **a minimum penalty of $500.00** fine, and minimum of fifteen days suspension, with disqualification, and loss of purse for the underlying offense. However, 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 the stewards' analysis of the mitigating/aggravating factors in this matter:

A.) ***(Mitigating)*** The Permit holder's past record: **No Rule Violations**

B.) ***(Aggravating)*** The Potential of the drug to influence the horse's racing performance: **N/A**

C.) ***(Aggravating)*** The legal availability of the drug: **is widely available**

D.) ***(Mitigating)*** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Permit Holder Knew**

E.) ***(Mitigating)*** The steps taken by the trainer to safeguard the horse: **N/A**

F.) ***(Aggravating)*** The probability of environmental contamination exposure due to human use: **N/A**

G.) ***(Mitigating)*** The purse of the race: **N/A**

H.) ***(Aggravating)*** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **N/A**

I.) (***Mitigating***) Whether there was any suspicious betting pattern in the race: **N/A**

J.) ***(Mitigating)*** 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. **N/A**

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. McCormick** will be fined **$500.00, with disqualification and loss of purse**, and is **suspended 15 days; suspension begins, Sunday, April 24, 2016 through and including Sunday, May 8, 2016.**

Redistribution of Purse is as follows:

1. **Officer Buster**
2. **Hello Canaan**
3. **Magical Punch**
4. **Right On the Money**
5. **Austin's Xchanger**

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

Dated: April 16, 2016

BY ORDER OF THE STEWARDS:

L. Robert Lotts

L. ROBERT LOTTS

Laurence A. Dupuy

LAURENCE A. DUPUY

Michael Pe

MICHAEL PEARSON

✓RCI
PAID 4/20/16
ck# 3563

CHARLES TOWN RACES **STEWARDS RULING** **APRIL 15, 2016**

RULING NUMBER 75

Trainer, **M. Joanna Boggs**; Permit # 12108; SS# xxx-xx- 6225, is hereby fined **Two-Hundred Dollars** for violation of West Virginia Rule of Racing Number **178-1-49.7.e.1.**, which reads in part: **"A horse scheduled to race that is permitted to use furosemide(Lasix) shall be administered furosemide(Lasix) by a veterinarian employed by the owner or trainer and holding a permit issued by the Racing Commission, unless, under subdivision 49.7.f. of this rule, the horse has been declared off of furosemide (Lasix) by its owner or trainer. The Furosemide (Lasix) must be administered a minimum of four (4) hours before the scheduled post time for the race in which the horse is entered and must be administered under the supervision of a person employed by the Racing Commission."**

Ms. Boggs failed to have the horse **"High End Gal"** available for Lasix treatment at appropriate time, necessitating a late scratch in the **First Race on Thursday, April 14, 2016.**

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

PAID VRCI 6/5/16 CASH

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATION VIOLATION

RULING: 76

TO: Trainer, Earl McCormick; Permit #12209; SS# xxx- xx-9876

On **April 16, 2016**, the Board of Stewards offered a hearing to **Trainer, Earl H. McCormick**, to which he waived his right on the allegations stated.

Trainer, Earl H. McCormick elected to waive his right to the split sample testing.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#193501** taken on **4/01/2016** was reported by Industrial Laboratories, official testing Laboratory, to contain **Clenbutarol**, which is a **Class 3 drug**, with a **Penalty B** designation. **Sample #193501** contained **30 pg/ml** of the drug. There is no permissible threshold for this drug in the blood, the sample was taken from the **Three (3)** horse, **"Tucan Tango"**, which ran in the **First Race** on **April 1, 2016**, finishing **First**.

The Stewards conclude that **Mr. McCormick** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W.Va C.S.R.1. This medication/prohibited substance violation is the permit holder's **First Offense**. The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **2 points**, pursuant to section **49.3.m. of 178 of W.Va.C.S.R.1.** This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

This medication/prohibited substance violation is his **first offense for Clenbutarol.**

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide a **minimum penalty of $500.00** fine, and minimum of fifteen days suspension, with disqualification, and loss of purse for the underlying offense. However, 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 the stewards' analysis of the mitigating/aggravating factors in this matter:

A.) ***(Mitigating)*** The Permit holder's past record: **No Rule Violations**

B.) ***(Aggravating)*** The Potential of the drug to influence the horse's racing performance: **N/A**

C.) ***(Aggravating)*** The legal availability of the drug: **is widely available**

D.) ***(Mitigating)*** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Permit Holder Knew**

E.) ***(Mitigating)*** The steps taken by the trainer to safeguard the horse: **N/A**

F.) ***(Aggravating)*** The probability of environmental contamination exposure due to human use: **N/A**

G.) ***(Mitigating)*** The purse of the race: **N/A**

H.) ***(Aggravating)*** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **N/A**

I.) ***(Mitigating)*** Whether there was any suspicious betting pattern in the race: **N/A**

J.) ***(Mitigating)*** 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. **N/A**

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. McCormick** will be fined **$500.00, with disqualification and loss of purse**, and is **suspended 15 days; suspension begins, Sunday, April 24, 2016 through and including Sunday, May 8, 2016.**

Redistribution of Purse is as follows:

1. **Officer Buster**
2. **Hello Canaan**
3. **Magical Punch**
4. **Right On the Money**
5. **Austin's Xchanger**

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

Dated: April 16, 2016

BY ORDER OF THE STEWARDS:

L. Robert Lotts

L. ROBERT LOTTS

Laurence A. Dupuy

LAURENCE A. DUPUY

Michael Pearson

MICHAEL PEARSON

RC1

CHARLES TOWN RACES **STEWARDS RULINGS** **APRIL 16, 2016**

RULING NUMBER ~~20~~ 11

Trainer, **Keisy Cartagena**, Permit # 11436; SS # XXX-XX-7288, is hereby fined **Five Hundred ($500) Dollars** for violation of **Rule of Racing # 178-1-26.3.g**, which states, "Each trainer is responsible for presenting his or her horse and being present in the paddock at a time appointed before post time of the race in which the horse is entered."

Trainer, **Keisy Cartagena** failed to be in the paddock with the horse **"Love Rules All"**, at the time appointed, for the running of the **Third Race on Friday, April 15, 2016, necessitating a late scratch.**

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

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

BY THE ORDER OF THE STEWARDS:

MICHAEL PEARSON

LAURENCE A. DUPUY

L. ROBERT LOTTS

CHARLES TOWN RACES **STEWARDS RULINGS** **APRIL 22, 2016**

RULING NUMBER 78

Jockey, **Jerry Villegas,** Permit #10805; SS# xxx-xx-4546 is hereby fined **($500) 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."

During the running of the **Fifth (5th) Race, on Wednesday, April 20, 2016,** Mr. Villegas allowed his mount **"Sharpasabowlnball "** to drop over in front of **"Miss Berry O"** going into the quarter pole turn when not clear and cause interference.

His mount was **disqualified** from **Fourth place** and placed **Sixth**.

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

CHARLES TOWN RACES **STEWARDS RULINGS** **MAY 5, 2016**

RULING NUMBER 80

Jockey, **Juan D Acosta,** Permit # 12715; SS# xxx-xx-0435, is hereby fined **Two Hundred ($200) Dollars** for violation of West Virginia Rule of Racing Number 178-1-28.3.b, which reads: "A jockey shall faithfully fulfill all engagements in respect to racing."

Mr. Acosta failed to fulfill his riding engagements on **Friday, April 22, 2016,** for the **Sixth Race**, necessitating a late rider change.

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

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

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

Mike Pearson

MICHAEL PEARSON

RCI

CHARLES TOWN RACES **STEWARDS RULINGS** **APRIL 22, 2016**

RULING NUMBER 78

Jockey, **Jerry Villegas,** Permit #10805; SS# xxx-xx-4546 is hereby fined **($500) 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."

During the running of the **Fifth (5th) Race, on Wednesday, April 20, 2016,** Mr. Villegas allowed his mount **"Sharpasabowlnball "** to drop over in front of **"Miss Berry O"** going into the quarter pole turn when not clear and cause interference.

His mount was **disqualified** from **Fourth place** and placed **Sixth.**

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

VRC

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATON VIOLATION

RULING: 79

TO: **Owner/Trainer, Scott J. Lane; Permit #12698; /SS# xxx-xx-5682**

On **April 29, 2016,** the Board of Stewards offered a hearing to **Owner/Trainer Scott Lane** to which he waived his right to a hearing, regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#193569** taken on **4/13/16** was reported by industrial Laboratories, official testing Laboratory, to contain **Triamcinolone Acetonide**, which is a **Class 4 drug,** with a **Penalty C** designation. **Sample # 193569** contained **191pg/ml** of the drug. The permissible threshold for this drug is **100pg/ml.** The sample was taken from the **Two (2)** horse, **"Buffed"**, which ran in the **First (1st) Race** on **April 13, 2016**, finishing **First (1st).**

Owner/Trainer, Scott J. Lane elected to waive his right to the split sample testing.

The Stewards conclude that **Mr. Lane** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W. Va. C.S.R.1. This medication/substance violation is **1 point** pursuant to section **49.3.m.of W. Va. C.S.R.1.** This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

This medication/prohibited substance violation is his **first offense for Triamcinolone Acetonide.**

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide a **minimum penalty of $1,000.00 fine, and loss of purse.**

The following is the stewards' analysis of the mitigation/factors in this matter:

A.) **(Mitigating)** The Permit holder's past record **minimal drug violations**

B.) **(Aggravating)** The Potential of the drug to influence the horse's racing performance: **has potential**

C.) **(Aggravating)** The legal availability of the drug: **is widely available**

D.) **(Mitigating)** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug.

E.) **(Mitigating)** The steps taken by the trainer to safeguard the horse: **N/A**

F.) **(Aggravating)** The probability of environmental contamination exposure due to human use: **N/A**

G.) **(Mitigating)** The purse of the race: **N/A**

H.) **(Aggravating)** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **N/A**

I.) **(Mitigating)** Whether there was any suspicious betting pattern in the race: **N/A**

J.) (Mitigating) 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. **N/A**

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. Lane** will be fined **$1,000.00** and the **purse ordered to be redistributed,** and the additional penalty of **1 point** under the multiple medication violation point systems, for a total penalty of **1 point.**

"Buffed" is disqualified from First Place, and Redistribution of purse is as follows:

1. **How Do I Know**
2. **Touchy Zealy**
3. **Smarty Star**
4. **Won Ton Soup**
5. **Unwarranted**
6. **Bloomerang**

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

Dated: April 30, 2016

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

Michael Pearson

MICHAEL PEARSON

VRC1

PAID
5/25/16
210008

CHARLES TOWN RACES **STEWARDS RULINGS** **MAY 5, 2016**

RULING NUMBER 80

Jockey, **Juan D Acosta,** Permit # 12715; SS# xxx-xx-0435, is hereby fined **Two Hundred ($200) Dollars** for violation of West Virginia Rule of Racing Number 178-1-28.3.b, which reads: "A jockey shall faithfully fulfill all engagements in respect to racing."

Mr. Acosta failed to fulfill his riding engagements on **Friday, April 22, 2016,** for the **Sixth Race**, necessitating a late rider change.

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

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

BY ORDER OF THE STEWARDS:

Danny R. Wright
DANNY R. WRIGHT

Laurence A. Dupuy
LAURENCE A. DUPUY

Mike Pearson
MICHAEL PEARSON

✓ RCl

CHARLES TOWN RACES STEWARDS RULING MAY 5, 2016

RULING NUMBER 81

Authorized Agent #10222, making **Jose A. Lopez**, Authorized Agent for **Rolando Figueroa** has been rescinded as of 04/26/16, per letter sent to Stewards by Roland Figueroa, dated **04/26/16**.

BY ORDER OF THE STEWARDS:

Danny Wright

DANNY R. WRIGHT

Mike Pearson

MIKE PEARSON

Laurence A. Dupuy

LAURENCE A. DUPUY

CHARLES TOWN RACES STEWARDS RULING MAY 5, 2016

RULING NUMBER 81

Authorized Agent #10222, making **Jose A. Lopez**, Authorized Agent for **Rolando Figueroa** has been rescinded as of 04/26/16, per letter sent to Stewards by Roland Figueroa, dated **04/26/16**.

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

Mike Pearson

MIKE PEARSON

Laurence A. Dupuy

LAURENCE A. DUPUY

CHARLES TOWN RACES STEWARDS RULING MAY 11, 2016

RULING NUMBER 82

Earl A. Miller III, Assistant Trainer, License #10818, has been rescinded and **Vendor License #13326** was issued on 4/22/16, without prejudice.

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

MIKE PEARSON

MIKE PEARSON

LAURENCE A. DUPUY

RC1

CHARLES TOWN RACES STEWARDS RULING MAY 11, 2016

RULING NUMBER 82

Earl A. Miller III, Assistant Trainer, License #10818, has been rescinded and **Vendor License #13326** was issued on 4/22/16, without prejudice.

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

MIKE PEARSON

MIKE PEARSON

LAURENCE A. DUPUY

VRC1

CHARLES TOWN RACES **STEWARDS RULINGS** **MAY 27, 2016**

RULING NUMBER 83

Apprentice Jockey, **Jan Batista,** Permit #13078; SS#: xxx-xx-3286 is hereby suspended **Four (4) Race Days**, beginning **Wednesday, June 1, 2016, through and including June 4, 2016,** for violation of Rules 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."

Mr. Batista is suspended for allowing his mount **(7) "Jax and Yoko"**, to drift in, and cause interference to **(6) "E Z Curl"**, during the running of the **Fifth (5th) Race, Wednesday, May 25, 2016.**

His mount, **"Jax and Yoko"** was **disqualified** from **Third** and placed **Fourth.**

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

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

Michael Pearson

Michael Pearson

CHARLES TOWN RACES **STEWARDS RULINGS** **MAY 27, 2016**

RULING NUMBER 83

Apprentice Jockey, **Jan Batista,** Permit #13078; SS#: xxx-xx-3286 is hereby suspended **Four (4) Race Days**, beginning **Wednesday, June 1, 2016, through and including June 4, 2016,** for violation of Rules 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."

Mr. Batista is suspended for allowing his mount **(7) "Jax and Yoko"**, to drift in, and cause interference to **(6) "E Z Curl"**, during the running of the **Fifth (5th) Race, Wednesday, May 25, 2016.**

His mount, **"Jax and Yoko"** was **disqualified** from **Third** and placed **Fourth.**

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

Michael Pearson

CHARLES TOWN RACES **STEWARDS RULING** **May 27, 2016**

RULING NUMBER 84

Groom, **Michael A. Haynes**; Permit#13505; SS#xxx-xx-9924

Michael A. Haynes has been **denied** a Groom Application by the Stewards with regard to his recent attempt to renew his grooms license application.

DATED: May 27, 2016

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

VRC1

CHARLES TOWN RACES **STEWARDS RULING** **May 27, 2016**

RULING NUMBER 84

Groom, **Michael A. Haynes**; Permit#13505; SS#xxx-xx-9924

Michael A. Haynes has been **denied** a Groom Application by the Stewards with regard to his recent attempt to renew his grooms license application.

DATED: May 27, 2016

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

RC1

CHARLES TOWN RACES **STEWARDS RULINGS** **May 28, 2016**

RULING NUMBER 85

Apprentice Jockey, **Jan Batista,** Permit #13078; SS# xxx-xx-3286 is hereby fined **($500) 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."

During the running of the **Second (2nd) Race, on Thursday, May 26, 2016, Mr**. Batista allowed his mount **"Kick Ash "** to drift out and caused interference to the #7 horse **"Fair Praise".**

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

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

BY ORDER OF THE STEWARDS:

Danny Wright
DANNY R. WRIGHT

Laurence A Dupuy
LAURENCE A. DUPUY

Mike Pearson
MICHAEL PEARSON

CHARLES TOWN RACES **STEWARDS RULINGS** **May 28, 2016**

RULING NUMBER 85

Apprentice Jockey, **Jan Batista,** Permit #13078; SS# xxx-xx-3286 is hereby fined **($500) 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."

During the running of the **Second (2nd) Race, on Thursday, May 26, 2016, Mr**. Batista allowed his mount **"Kick Ash "** to drift out and caused interference to the #7 horse **"Fair Praise".**

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

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

BY ORDER OF THE STEWARDS:

Danny Wright
DANNY R. WRIGHT

Laurence A Dupuy
LAURENCE A. DUPUY

Mike Pearson
MICHAEL PEARSON

CHARLES TOWN RACES **STEWARDS RULINGS** **JUNE 3, 2016**

RULING NUMBER 86

Jockey, **Christian Hiraldo,** Permit #10838; SS# xxx xx 4368, is hereby suspended for **Four Racing Days**, starting, **Wednesday, June 8, 2016 through and including Saturday, June 11, 2016**, for violation of **Rule of Racing #178-1-45.7.b.1.**, which reads "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horse in a race."

Jockey Hiraldo willfully permitted his mount, **"Cat Come Home" (4)** to drift over and interfere with **"Opportunity Calls" (5),** through the stretch run in the Sixth Race on, Wednesday, June 1, 2016.

Mr. Hiraldo's mount was disqualified from Second and placed Third.

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.

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MIKE PEARSON

CHARLES TOWN RACES **STEWARDS RULING** **JUNE 8, 2016**

RULING NUMBER 87

Jockey, **Carlos Marrero,** Permit #10883; SS# xxx-xx-5129, is hereby fined **One-Hundred ($100.00) Dollars** for failure to do his reported weight, on **Saturday, June 4, 2016**. This is in violation of West Virginia Rule of Racing Number **178-1-45.5.d** which states, "Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision."

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

DENVER BECKNER

CHARLES TOWN RACES **STEWARDS RULING** **JUNE 8, 2016**

RULING NUMBER 88

Jockey, **Victor Rodriguez,** Permit #10812; SS# xxx-xx-6891, is hereby fined **One-Hundred ($100.00) Dollars** for failure to do his reported weight, on **Saturday, June 4, 2016.** This is in violation of West Virginia Rule of Racing Number **178-1-45.5.d** which states, "Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision."

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

DENVER BECKNER

CHARLES TOWN RACES **STEWARDS RULINGS** **JUNE 11, 2016**

RULING NUMBER 89

Jockey, **Grant Whitacre,** Permit #12914; SS# xxx-xx-6764, is hereby suspended for **Four Racing Days**, starting, **Thursday, June 16, 2016, Friday, June 17, 2016, Saturday, June 18, 2016 and including Wednesday, June 22, 2016**, for violation of **Rule of Racing #178-1-45.7.b.1.**, which reads "A jockey shall not ride carelessly or willfully so as to permit his or her mount to interfere with, impede or intimidate any other horse in a race."

Grant Whitacre willfully permitted his mount, **"Leonia" (4)** to drift over and interfere with **"Beelzeboss" (3),** through the stretch run in the Fifth Race on, Thursday, June 9, 2016.

Mr. Whitacre's mount was disqualified from First and placed Third.

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.

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

L. Robert Lotts

L. ROBERT LOTTS

Mike Pearson

MIKE PEARSON

BEFORE THE BOARD OF STEWARDS
CHARLES TOWN RACETRACK

RULING - MEDICATION VIOLATION

RULING NUMBER # 90

TO: **JOSE S. NUNEZ**
72 Cedar Hill Church Road
Elkton, Maryland 21929

Owner/Trainer Permit # 13058 B

On June 15, 2016, the Board of Stewards conducted a hearing regarding allegations set forth in a Notice of Hearing issued on June 4, 2016. Jose S. Nunez and Madeline Huis were present in person and testified before the Board of Stewards. After considering the evidence, the Board of Stewards hereby find the following:

The official blood and urine samples **# E193429** taken on **March 19, 2016** were reported by Industrial Laboratories to contain N-ethylnicotinamide, the metabolite of Nikethamide. Pursuant to Table 178-1 D of the Thoroughbred Racing Rule, 178 C.S.R. 1, Nikethamide is a Class 1 Drug, carrying a Category A penalty. The samples were taken from **"Road Agent"**, which ran in the **RACE NUMBER** 7 on **March 19, 2016**, finishing **1st**. The horse is trained by **Jose S. Nunez** and owned by **Madeline Huis.**

After notification to you, you elected to conduct split sample testing on the blood collected for "Road Agent" and selected Texas A&M Veterinary Medical Diagnostic Laboratory to conduct the split sample testing. After events beyond the control of the Racing Commission caused the split blood sample not to be received by Texas A&M, you were contacted by the Stewards to make arrangements to continue to fulfill and honor your request for split sample testing. Specifically, the Stewards required you to appear so that the split urine sample for "Road Agent" could be sent for testing to Texas A&M. After you failed to appear for the shipment of the split urine sample, the Stewards and a Racing Commission Veterinarian caused the split urine sample to be sent to Texas A&M, observing the appropriate chain of custody and in the presence of independent witnesses. In addition, the Stewards ordered Industrial to ship the remaining, untested and preserved blood in its possession to Texas A&M for testing. As a result of your failure to cooperate regarding the split sample testing, arrangements were made to have the West Virginia Racing Commission pay Texas A&M for conducting the split sample testing of the blood and urine.

On or about June 2, 2016, Texas A&M confirmed the presence of N-ethylnicotinamide, the metabolite of Nikethamide, in the urine split sample for "Road Agent" and in the remaining, untested and preserved blood sample for "Road Agent."

The official blood and urine samples **# E193472** taken on **March 26, 2016** were reported by Industrial Laboratories to contain N-ethylnicotinamide, the metabolite of Nikethamide. Pursuant to Table 178-1 D of the Thoroughbred Racing Rule, 178 C.S.R. 1, Nikethamide is a Class 1 Drug, carrying

a Category A penalty. The samples were taken from **"Grace Is a Beauty"**, which ran in the **RACE NUMBER 6** on **March 26, 2016**, finishing **1st.** The horse is trained by **Jose S. Nunez** and owned by **Madeline Huis.**

After notification to you, you elected to conduct split sample testing on the blood collected for "Grace Is a Beauty" and selected Texas A&M Veterinary Medical Diagnostic Laboratory to conduct the split sample testing. After events beyond the control of the Racing Commission caused the split blood sample not to be received by Texas A&M, you were contacted by the Stewards to make arrangements to continue to fulfill and honor your request for split sample testing. Specifically, the Stewards required you to appear so that the split urine sample for "Grace Is a Beauty" could be sent for testing to Texas A&M. After you failed to appear for the shipment of the split urine sample, the Stewards and a Racing Commission Veterinarian caused the split urine sample to be sent to Texas A&M, observing the appropriate chain of custody and in the presence of independent witnesses. In addition, the Stewards ordered Industrial to ship the remaining, untested and preserved blood in its possession to Texas A&M for testing. As a result of your failure to cooperate regarding the split sample testing, arrangements were made to have the West Virginia Racing Commission pay Texas A&M for conducting the split sample testing of the blood and urine.

On or about June 2, 2016, Texas A&M confirmed the presence of N-ethylnicotinamide, the metabolite of Nikethamide, in the urine split sample for "Grace Is a Beauty" and in the remaining, untested and preserved blood sample for "Grace Is a Beauty."

The Board of Stewards conclude that **Jose Nunez** has violated sections **49.4.a.1.** and **51.1.a.** of the Thoroughbred Racing Rule, 178 C.S.R. 1. Specifically, N-ethylnicotinamide, the metabolite of Nikethamide, confirmed to be present in "Road Agent's" 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. Therefore, the presence of N-ethylnicotinamide, the metabolite of Nikethamide, in "Road Agent" is a violation of 178 C.S.R. 1, § 49.4.a.1.

In addition, pursuant to section 51.1.a. of the Thoroughbred Racing Rule, 178 C.S.R. 1, as the trainer of "Road Agent," Jose Nunez is the absolute insurer of and responsible for the condition of the horse, regardless of the acts of third parties. Inasmuch the testing of urine and blood from "Road Agent" proved positive showing the presence of a prohibited drug, medication, or substance, Jose Nunez, as the trainer of the horse, may be fined, suspended, have his occupational permit revoked, be prohibited access to all grounds under the jurisdiction of the Racing Commission, or may be otherwise disciplined.

The medication/prohibited substance violation associated with the positive in "Road Agent" is Jose Nunez's **FIRST** offense for a drug carrying a Category A penalty. The Penalty Guidelines set forth in Table 178-1 E of the Thoroughbred Racing Rule provide a minimum penalty of a one (1) year suspension and a $10,000.00 fine.

The medication/prohibited substance violation associated with the positive in "Grace Is a Beauty" is Jose Nunez's **SECOND** offense for a drug carrying a Category A penalty. The Penalty Guidelines set forth in Table 178-1 E of the Thoroughbred Racing Rule provide a minimum penalty of a three (3) year suspension and a $25,000.00 fine.

An analysis of the mitigating/aggravating factors is as follows:

Mr. Nunez's past record as a permit holder is relatively good in that Mr. Nunez has had only two previous medication violations: a Phenylbutazone overage in Delaware on or about August 13, 2012 for which he was fined $500.00, and a Diphenhydramine positive in Pennsylvania on or about September 19, 2014 for which he was fined $1,500.00.

However, Nikethamide and its metabolite, found in "Road Agent" and "Grace Is a Beauty" is a Class 1 Drug. Pursuant to 178 C.S.R. 1, § 49.2.a., Class 1 drugs have no generally accepted medical use in the racehorse and their pharmacological potential for altering the performance of a race is very high. This is an aggravating factor.

It is also an aggravating factor that Nikethamide is not available on the legal, commercial market in the United States for human or veterinary use. Nikethamide is not FDA approved for use in the United States.

During the hearing neither Mr. Nunez nor Ms. Huis offered any explanation or information that would explain how Nikethamide, a very serious drug, got into "Road Agent" and "Grace Is a Beauty."

Weighing and balancing the aggravating and mitigating factors, the Board of Stewards finds that the minimum penalty for each offense is appropriate in this case. Therefore, the Stewards hereby impose the following penalties:

Mr. Nunez is hereby **SUSPENDED** for **ONE (1)** year and **FINED $10,000.00** for the first offense Class 1, Category A, drug positive in "Road Agent." Pursuant to 178 C.S.R. 1, § 49.3.m., Mr. Nunez is assessed **SIX (6) POINTS** under the Multiple Medication Violation rule for this violation. In addition, "Road Agent" is hereby placed on the Veterinarian's List for **NINETY (90)** days from the date of this ruling and must pass an examination before becoming eligible to be entered in a race. The purse of the race is ordered to be **FORFEITED** and "Road Agent" is **DISQUALIFIED** from its first place finish in the 7th race on March 19, 2016. The order of finish is hereby re-ordered as follows:

1st Blue Mountain Cat
2nd Gabbi's Amor
3rd Manewal
4th Graduated
5th Two More Jacs
6th Academy Run

Mr. Nunez is hereby **SUSPENDED** for **THREE (3)** years and **FINED $25,000.00** for the second offense Class 1, Category A, drug positive in "Grace Is a Beauty." Pursuant to 178 C.S.R. 1, § 49.3.m., Mr. Nunez is assessed **SIX (6) POINTS** under the Multiple Medication Violation rule for this violation. In addition, "Grace Is a Beauty" is hereby placed on the Veterinarian's List for **ONE HUNDRED TWENTY (120)** days from the date of this ruling and must pass an examination before becoming eligible to be entered in a race. The purse of the race is ordered to be **FORFEITED** and "Grace Is a Beauty" is **DISQUALIFIED** from its first place finish in the 6th race on March 26, 2016. The order of finish is hereby re-ordered as follows:

1st Early Glory
2nd Distinctlybella
3rd Linda's Lollipop

4th Prithee
5th Malibu Fever
6th Wawa

As a result of the accumulation of a total of **TWELVE (12) POINTS** under the Multiple Medication Violation rule for the above-listed violations, Mr. Nunez is hereby **SUSPENDED** an additional **THREE HUNDRED SIXTY (360)** days pursuant to 178 C.S.R. 1, § 49.3.m.6.

Accordingly, it is hereby **ORDERED** that Jose Nunez's permit is **SUSPENDED** for a total of **FOUR (4) YEARS** and **THREE HUNDRED SIXTY (360)** days effective beginning Thursday, June 23, 2016, through and including, June 18, 2021. It is further **ORDERED** that Jose Nunez is **FINED** a total of **$35,000.00**. Pursuant to 178 C.S.R. 1, § 8.5.n., such fine shall be paid within seven (7) calendar days after this ruling is issued.

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

Dated: June 22, 2016

Danny G. Wright
Chief Steward

Laurence A. Dupuy
Steward

L. Robert Letts
Steward

CHARLES TOWN RACES **STEWARDS RULING** **JUNE 23, 2016**

RULING NUMBER 91

Jockey, **Antonio Lopez,** Permit #10721; SS# xxx-xx-0310, is hereby fined **One-Hundred ($100.00) Dollars** for failure to do his reported weight, on **Friday, June 17, 2016**. This is in violation of West Virginia Rule of Racing Number **178-1-45.5.d** which states, "Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision."

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

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

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

CHARLES TOWN RACES **STEWARDS RULING** **JUNE 23, 2016**

RULING NUMBER 92

Trainer, **Karen Dennehy Godsey**, Permit # 13485; SS# xxx-xx-0218, is hereby fined **Two-Hundred ($200) Dollars** for violation of Rule of Racing #178-1-44.1, which reads: "A horse is ineligible to start in a race when: its breed certificate is not on file with the association's racing secretary, one-half hour before post time for the first race; the stewards may waive this requirement if the information contained on the registration certificate is otherwise available and the horse is otherwise correctly identified to the stewards' satisfaction; provided that the stewards shall not waive this requirement if the horse is scheduled to start in a claiming race.

Ms. Godsey failed to have foal papers on file for the horse **"Abram"** for the running of the **Second Race, Friday, June 17, 2016, necessitating a late scratch.**

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

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

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

Michael A. Pearson

MICHAEL PEARSON

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATON VIOLATION

RULING: 93

TO: **Owner/Trainer, Christine B. White.; Permit #10661 /SS# xxx-xx-6407**

On **June 23, 2016,** the Board of Stewards offered a hearing to **Owner/Trainer Christine B: White** to which she waived her right to a hearing, regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#196385** taken on **6/11/16** was reported by industrial Laboratories, official testing Laboratory, to contain **Phenylbutazone**, which is a **Class 4 drug,** with a **Penalty C** designation. **Sample #196385** contained **3.2 ug/ml** of the drug. The permissible threshold for this drug is **2 ug/ml.** The sample was taken from the **Six (6)** horse, **"Priceless Dancer"**, which ran in the **Third Race** on **June 11, 2016,** finishing **First (1st).**

Owner/Trainer, Christine B. White elected to waive her right to the split sample testing.

The Stewards conclude that **Ms. White** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W. Va. C.S.R.1. This medication/substance violation is the permit holders' **first offense.** The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **1 point** pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1. This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

The Penalty Guidelines set forth in **Table 178-1** E of the Thoroughbred Racing Rules provide a **minimum penalty of written warning and a maximum penalty of $500.00 fine for the underlying offense.** However, 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 the stewards' analysis of the mitigation/factors in this matter:

A.) **(Mitigating)** The Permit holder's past record **No Rule Violations**

B.) **(Aggravating)** The Potential of the drug to influence the horse's racing performance: **N/A**

C.) **(Aggravating)** The legal availability of the drug: **Is Widely Available**

D.) **(Mitigating)** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Permit Holder Knew**

E.) **(Mitigating)** The steps taken by the trainer to safeguard the horse: **N/A**

F.) **(Aggravating)** The probability of environmental contamination exposure due to human use: **N/A**

G.) **(Mitigating)** The purse of the race: **N/A**

H.) **(Aggravating)** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **Horse was being treated.**

I.) **(Mitigating)** Whether there was any suspicious betting pattern in the race: **N/A**

J.) **(Mitigating)** 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. **Yes**

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Ms. White** will be fined **$250.00** and **"Priceless Dancer" is not disqualified from the First place finish.**

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

Dated: June 24, 2016

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATON VIOLATION

RULING: 94

TO: **Owner/Trainer, John S. Adams, Jr.; Permit #10906 /SS# xxx-xx-1680**

On **June 24, 2016,** the Board of Stewards offered a hearing to **Owner/Trainer John S. Adams, Jr.** to which he waived his right to a hearing, regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#196380** taken on **6/10/16** was reported by industrial Laboratories, official testing Laboratory, to contain **Phenylbutazone**, which is a **Class 4 drug,** with a **Penalty C** designation. **Sample #196380** contained **3.0 ug/ml** of the drug. The permissible threshold for this drug is **2 ug/ml**. The sample was taken from the **Six (6)** horse, **"Crafty Punch"**, which ran in the **Seventh Race** on **June 10, 2016,** finishing **First (1st).**

Owner/Trainer, John S. Adams, Jr. elected to waive his right to the split sample testing.

The Stewards conclude that **Mr. Adams** has violated section(s) **178-1-S1.1.a** of the Thoroughbred Racing Rule, 178 W. Va. C.S.R.1. This medication/substance violation is the permit holders' **first offense.** The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **1 point** pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1. This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide a **minimum penalty of written warning and a maximum penalty of $500.00 fine for the underlying offense.** However, 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 the stewards' analysis of the mitigation/factors in this matter:

A.) **(Mitigating)** The Permit holder's past record **No Rule Violations**

B.) **(Aggravating)** The Potential of the drug to influence the horse's racing performance: **N/A**

C.) **(Aggravating)** The legal availability of the drug: **Is Widely Available**

D.) **(Mitigating)** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Permit Holder Knew**

E.) **(Mitigating)** The steps taken by the trainer to safeguard the horse: **N/A**

F.) **(Aggravating)** The probability of environmental contamination exposure due to human use: **N/A**

G.) **(Mitigating)** The purse of the race: **N/A**

H.) **(Aggravating)** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **Horse was being treated.**

I.) **(Mitigating)** Whether there was any suspicious betting pattern in the race: **N/A**

J.) **(Mitigating)** 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. **Yes**

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. Adams** will be fined **$250.00** and **"Crafty Punch" is not disqualified from the First place finish.**

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

Dated: June 24, 2016

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

Michael Pearson

MICHAEL PEARSON

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATON VIOLATION

RULING: 95

TO: **Trainer, Mark Shanley; Permit #10840 /SS# xxx-xx-2743**

On **June 28, 2016,** the Board of Stewards offered a hearing to **Trainer Mark Shanley** to which he waived his right to a hearing, regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#196357** taken on **6/08/16** was reported by industrial Laboratories, official testing Laboratory, to contain **Dexamethasone**, which is a **Class 4 drug**, with a **Penalty C** designation. **Sample #196357** contained **40.5 pg/ml** of the drug. The permissible threshold for this drug is **5 pg/ml.** The sample was taken from the **Five (5)** horse, **"Bravelikebetty"**, which ran in the **Sixth Race** on **June 08, 2016**, and was euthanized due to injury.

Trainer, Mark Shanley elected to waive his right to the split sample testing.

The Stewards conclude that **Mr. Shanley** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W. Va. C.S.R.1. This medication/substance violation is the permit holders' **first offense.** The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **1 point** pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1. This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide a **minimum penalty of written warning and a maximum penalty of $1000.00 fine for the underlying offense.** However, 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 the stewards' analysis of the mitigation/factors in this matter:

A.) **(Mitigating)** The Permit holder's past record **No Rule Violations**

B.) **(Aggravating)** The Potential of the drug to influence the horse's racing performance: **N/A**

C.) **(Aggravating)** The legal availability of the drug: **Is Widely Available**

D.) **(Mitigating)** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Permit Holder Knew**

E.) **(Mitigating)** The steps taken by the trainer to safeguard the horse: **N/A**

F.) **(Aggravating)** The probability of environmental contamination exposure due to human use: **N/A**

G.) **(Mitigating)** The purse of the race: **N/A**

H.) **(Aggravating)** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **Horse was being treated.**

I.) **(Mitigating)** Whether there was any suspicious betting pattern in the race: **N/A**

J.) **(Mitigating)** 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. **Yes**

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. Shanley** will be fined **$1000.00.**

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

Dated: June 28, 2016

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATON VIOLATION

RULING: 96

TO: **Owner/Trainer, Kevin Patterson; Permit #10699 /SS# xxx-xx-7948**

On **June 28, 2016** , the Board of Stewards offered a hearing to **Owner/Trainer Kevin Patterson** to which he waived his right to a hearing, regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the stewards hereby find the following:

The official blood sample **#196376** taken on **6/10/16** was reported by Industrial Laboratories, official testing Laboratory, to contain **Clenbuterol**, which is a **Class 3 drug,** with a **B Penalty** designation. **Sample #196376** contained **3 pg/ml** of the drug. The permissible threshold for this drug in **urine** is 140 **pg/ml,** and **0** detection in **plasma.** The sample was taken from the **Five (5)** horse, **"Bad Boy Peter"**, which ran in the **Fourth Race** on **June 10, 2016, finishing First.**

Owner/Trainer, Kevin Patterson elected to waive his right to the split sample testing.

The Stewards conclude that **Mr. Patterson** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W. Va. C.S.R.1. This medication/substance violation is the permit holders' **First** offense. The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **2 points** pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1. This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide a **minimum penalty of written warning and a maximum penalty of $500.00 fine for the underlying offense.** However, 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 the stewards' analysis of the mitigation/factors in this matter:

A.) **(Mitigating)** The Permit holder's past record **No Rule Violations**

B.) **(Aggravating)** The Potential of the drug to influence the horse's racing performance:

C.) **(Aggravating)** The legal availability of the drug: **Is Widely Available**

D.) **(Mitigating)** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Permit Holder Knew**

E.) **(Mitigating)** The steps taken by the trainer to safeguard the horse: **N/A**

F.) **(Aggravating)** The probability of environmental contamination exposure due to human use: **N/A**

G.) **(Mitigating)** The purse of the race: **N/A**

H.) **(Aggravating)** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **Horse was being treated.**

I.) **(Mitigating)** Whether there was any suspicious betting pattern in the race: **N/A**

J.) **(Mitigating)** 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. **Yes**

K.) Others factors deemed relevant by the Stewards: **N/A**

Based on the above, the Stewards hereby impose the following penalty for the underlying offense: **Mr. Patterson** will be fined **$500.00,** with **disqualification and loss of purse**, and is **suspended 15 days; suspension begins Sunday, July 3, 2016 through and including Sunday, July 17, 2016.**

Redistribution of Purse is as follows:

1. **It's Free**
2. **Star Sense**
3. **Coro Coro**
4. **Gator Gold**
5. **Blue Mountain Cat**
6. **Gabbi's Amor**

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

Dated: June 28, 2016

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

Michael Pearson

MICHAEL PEARSON

CHARLES TOWN RACES **STEWARDS RULING** **JULY 1, 2016**

RULING NUMBER 97

Jockey, **Antonio Lopez,** Permit #10721; SS# xxx-xx-0310, is hereby fined **One-Hundred ($100.00) Dollars** for failure to do his reported weight, on **Saturday, June 25, 2016.** This is in violation of West Virginia Rule of Racing Number **178-1-45.5.d** which states, "Any overweight shall be declared by a jockey to the clerk of scales at the time appointed in advance of a race. The clerk of scales shall report to the stewards any failure on the part of any jockey to comply with this subdivision."

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

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

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

Michael Pearson

MICHAEL PEARSON

CHARLES TOWN RACES **STEWARDS RULINGS** **JULY 1, 2016**

RULING NUMBER 98

Owner/Trainer, **Lofflin Downie**, Permit #10979; SS xxx-xx-5906, is hereby fined **One Thousand Dollars ($1000.00)**, for being in violation of West Virginia Rule of Racing Number **178-1-24.11.gg**, which reads: "Has engaged in conduct unbecoming or detrimental to the best interest of racing."

On **Wednesday, June 30, 2016, Mr Downie** was afforded a Board of Stewards hearing, he waived his right to do so, and signed the appropriate waiver form.

Mr. Downie admitted that due to his frustration of running out of time to get a 60 day published workout for his horse **"Copy Catter"**, which was scheduled to run in the **4th Race, Saturday, June 24, 2016**, he worked the horse **"Nameless"**, claiming it to be **"Copy Catter"**.

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 the ruling and must include a security fee in the amount of $100.00.

BY ORDER OF THE STEWARDS:

DANNY R. WRIGHT

LAURENCE A. DUPUY

MICHAEL PEARSON

CHARLES TOWN RACES **STEWARDS RULING** **JULY 1, 2016**

RULING NUMBER 99

Trainer, **Anthony Farrior,** Permit #12423; SS# xxx-xx-7529 is hereby fined **One Thousand ($1000.00) Dollars** for violation of West Virginia Rule of Racing Number **178-1-24.11.p** which states, "Has knowingly or without conducting proper due diligence, sold a horse for slaughter, directly or indirectly.

On **June 23, 2016, Mr. Farrior** was afforded a hearing by The Board of Stewards. After hearing the testimony presented by the Chief Investigator for the West Virginia Racing Commission, Mr. Farrior was given the opportunity to explain the events, leading up to several horses under his care, being located on the grounds of a known livestock operation, that ships some horses for the purpose of slaughter.

The Board of Stewards concur with the Chief Investigator for the West Virginia Racing Commission, that Mr. Farrior may not have intended for these horses to be tagged and end up in a kill pen, but with proper investigation (due diligence), by Mr. Farrior, into the sale of these horses, the Board of Stewards feel that this could have been avoided.

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

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

BY ORDER OF THE STEWARDS:

Danny R. Wright

DANNY R. WRIGHT

Laurence A. Dupuy

LAURENCE A. DUPUY

Michael Pearson

MICHAEL PEARSON

BEFORE THE BOARD OF STEWARDS

CHARLES TOWN RACE TRACK

RULING-MEDICATON VIOLATION

RULING: 100

TO: **Trainer, Kenneth J. Huffman; Permit #11165 /SS# xxx-xx-0482**

On **July 5, 2016** , the Board of Stewards offered a hearing to **Trainer, Kenneth J. Huffman** to which he waived his right to a hearing, regarding the allegations set forth in Notice of Hearing issued.

After considering the evidence, the stewards hereby find the following:

The official blood/urine sample **#196430** taken on **6/18/16** was reported by Industrial Laboratories, official testing Laboratory, to contain **Gabapentin**, which is a **Class 4drug,** with a **B Penalty** designation. **Sample #196430** contained **2.1 ng/ml** of the drug. The permissible threshold for Gabapentin is O. The sample was taken from the **Seven (7)** horse, **"Mamaslittlesecret"**, which ran in the **Sixth Race** on **June 18, 2016, finishing First.**

Trainer, Kenneth J. Huffman elected to waive his right to the split sample testing.

The Stewards conclude that **Mr. Huffman** has violated section(s) **178-1-51.1.a** of the Thoroughbred Racing Rule, 178 W. Va. C.S.R.1. This medication/substance violation is the permit holders' **First** offense. The permit holder has accumulated **0 points** under the multiple medication violation point system prior to this ruling. The points assessed for this medication/substance violation is **4 points** pursuant to section 49.3.m. of 178 of W.Va.C.S.R.1. This penalty is in addition to the penalty imposed by the stewards for the underlying offense.

The Penalty Guidelines set forth in **Table 178-1 E** of the Thoroughbred Racing Rules provide a **minimum penalty** of 15 day suspension, and a $500.00 fine for the underlying offense, disqualification of purse and **maximum penalty** of 60 day suspension, $1000.00 fine and disqualification of purse. However, 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 the stewards' analysis of the mitigation/factors in this matter:

A.) **(Mitigating)** The Permit holder's past record **No Rule Violations**

B.) **(Aggravating)** The Potential of the drug to influence the horse's racing performance:

C.) **(Aggravating)** The legal availability of the drug: **Is Widely Available**

D.) **(Mitigating)** Whether there is reason to believe the permit holder knew of the administration of the drug or intentionally administered the drug. **Permit Holder Knew**

E.) **(Mitigating)** The steps taken by the trainer to safeguard the horse: **N/A**

F.) **(Aggravating)** The probability of environmental contamination exposure due to human use: **N/A**

G.) **(Mitigating)** The purse of the race: **N/A**

H.) **(Aggravating)** Whether the drug found was one for which the horse was receiving a treatment as documented by the treating veterinarian's treatment record. **Horse was being treated.**
(Mitigating) Whether there was any suspicious betting pattern in the race: **N/A**