

State of Texas
Texas Racing Commission

Official Ruling # LSP2837
of the
Board of Stewards

LONE STAR PARK AT GRAND PRAIRIE

OWNER	MARQUEZ, JAVIER	License #	99195
Ruling Date:	04/11/2013	Violation Date:	04/26/2009
Redistribute Purse:	No		

Rules Violated:

313.107 DRAW FOR POST POSITION
313.406 FAILURE TO FOLLOW RULES - COLORS & NUMBERS

Upon being duly notified, horse owner Javier Marquez, represented by Attorney Tony Chavez, appeared before the Lone Star Park Board of Stewards on April 8, 2013. The Texas Racing Commission was represented by Deputy General Counsel Devon Bijanski. A hearing was held in the matter of two horses owned by Javier Marquez, RC Mezoom and Rampage, that allegedly failed to carry the proper head numbers, saddles and saddle cloth numbers during the twelfth race at Manor Downs on April 26, 2009, in violation of TxRC Rule 313.406(a). RC Mezoom and Rampage also allegedly failed to start the same race from their assigned post positions in the starting gate in violation of TxRC Rule 313.107(b).

Upon consideration of the evidence and testimony presented in the hearing, the Lone Star Park Board of Stewards makes the following findings of fact:

1. On April 26, 2009, three Quarter Horses owned by Javier Marquez (dba) J and M Racing and Farm, RC Mezoom, Rampage and Arctic Dash raced in the twelfth race at Manor Downs, the Manor Downs Derby.
2. Prior to the race, in accordance with TxRC Rule 313.107, the Manor Downs Racing Secretary conducted the draw for starting positions and determined that Rampage would start from the #6 post position and be listed in the official program as 1A. RC Mezoom was assigned post position #9 and was listed as 1X in the official program. Arctic Dash was assigned post position #4 and listed in the program as the 1 completing a three horse entry owned by Mr. Marquez.
3. Rampage and RC Mezoom started the race from each other's assigned post position in the starting gate and raced with each other's saddles and saddle cloth numbers.
4. Rampage and RC Mezoom were not wearing their required head numbers.
5. Rampage and RC Mezoom finished second and sixth, respectively.
6. Although bets on Arctic Dash, Rampage, and RC Mezoom were coupled in accordance with TxRC Rule 313.110(b) there was a possibility of a competitive advantage because the horses started from each

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other's assigned post positions.

7 The Manor Downs Board of Stewards determined that the switched post positions prevented them from certifying the race as official.

8. The Manor Downs Board of Stewards considered a variety of options before determining that Rampage and RC Mezoom should be disqualified and the race purse distributed accordingly.

Based on the above findings of fact and the importance of fairness and integrity in pari-mutuel horse racing the Lone Star Park Board of Stewards hereby orders the horse Rampage disqualified from second place and placed ninth and the horse RC Mezoom disqualified from sixth and placed tenth in the twelfth race at Manor Downs on April 26, 2009, named the Manor Downs Derby. The purse is to be distributed with the order of finish as follows:

1. Mr Queens Mystery
2. La Jolla Suspect
3. Zoomalicious
4. Charal Kid
5. Point of Deception
6. Arctic Dash
7. MDT Streetfighter
8. It's a Black Oak
9. Rampage
10. RC Mezoom

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