

State of Texas
Texas Racing Commission

Official Ruling # LSP3039
of the
Board of Stewards

LONE STAR PARK AT GRAND PRAIRIE

OWNER-TRAINER	KEARL, JUDD	License #	91094
Ruling Date:	02/21/2015	Violation Date:	10/04/2014
Redistribute Purse:	Yes		

Rules Violated:

319.3	DRUG POSITIVE OR PERMITTED MEDICATION VIOLATION
319.302	REASONABLE OVERSIGHT OF ANIMAL
311.104	TRAINER/ABSOLUTE INSURER

Upon being duly notified, Owner/Trainer Judd Kearl was represented by his attorney, John Mac Hayes, in a formal hearing before the Sam Houston Race Park Board of Stewards on 02/20/15. Mr. Kearl testified telephonically.

The horse Easee Jubilee, trained by Judd Kearl finished 2nd in the second race at Lone Star Park on 10/04/14. Test sample #LS051139 collected from Easee Jubilee tested positive for the class 4 medication Budesonide at the Texas Veterinary Medical Diagnostic Laboratory. A split sample tested by the University of Florida Racing Laboratory confirmed the positive Budesonide finding.

In his testimony, Judd Kearl belatedly challenged the selection of the University of Florida from the list of four TxRC approved laboratories for the testing of split samples. Investigator Melvin Bell testified that he informed Mr. Kearl that the other three listed laboratories indicated they had no standards for testing the split sample.

On 10/23/2014 Mr. Kearl signed a Split Sample Request indicating his intention to send sample #LS051139 to the University of Florida and on 10/30/14 Judd Kearl witnessed and approved, with no objection or complaint, the shipping of the split sample to the University of Florida and provided a certified check in the amount of eight hundred dollars to cover the cost of shipping and testing.

After consideration of all the evidence and testimony presented in the hearing the Sam Houston Race Park Board of Stewards hereby fines Judd Kearl five hundred dollars (\$500) and suspends his TxRC license for fifteen days (03/20/15 through 04/03/15) for the positive test indicated above.

Mitigating circumstances of eight positives being confirmed at the same time permit all to be considered first violations. However, the multiple violations warrant the suspensions being served in succession.

During the term of this suspension Judd Kearl is denied access to all facilities under the jurisdiction of the Texas Racing Commission. Entry of horses owned or trained by Mr. Kearl is denied pending sale or transfer to a party approved by the Board of Stewards.

The horse Easee Jubilee is hereby disqualified and declared unplaced in the second race at Lone Star Park on 10/04/14 with the purse to be redistributed as follows:

1. Saweet
2. Tinalicious

By Order of the Board of Stewards

DAVID ROLLINSON
ANNE ALLEY
DENNIS SIDENER

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3. Jess a Candy Girl
 4. Strictly Taboo
 5. Charlijorgi
 6. Gypsy Streak
 7. Poof Shes Gone
- Unplaced: Easee Jubilee

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Supplement # 1

03/10/2015

Effective March 6, 2015, the Commission received the appeal, bond and fine in this case. Executive Director Trout has denied the request for a stay.