

State of Texas
Texas Racing Commission

Official Ruling # LSP3051
of the
Board of Stewards

LONE STAR PARK AT GRAND PRAIRIE

OWNER-TRAINER	KEENER, DEE	License #	142505
Ruling Date:	02/26/2015	Violation Date:	10/18/2014
Redistribute Purse:	Yes		

Rules Violated:

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

Owner/Trainer Dee Allen Keener having been duly noticed, was represented by his attorney John Mac Hayes at a formal hearing before the Sam Houston Race Park Board of Stewards on 02/20/2015. Mr. Keener testified telephonically.

The horse "Texas Silk" trained by Dee A. Keener won the sixth race at Lone Star Park on 10/18/2014. Test sample #LS051263 taken from "Texas Silk" 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 Budesonide finding.

In his testimony, Dee Allen Keener belatedly challenged the selection process 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. Keener that the other three listed laboratories were unable to meet the standards required to test for Budesonide. The University of Florida was the only approved laboratory able to analyze the split sample.

On 11/10/2014 Mr. Keener signed the Split Sample Request Form and on 12/03/2014 Travis D. Mullins representing Mr. Keener, witnessed and approved, with no objection or complaint, the shipping of the split sample to the University of Florida. Mr. Keener provided a certified check in the amount of three thousand two hundred (\$3,200) dollars to cover the cost of shipping and testing this sample and three others.

On consideration of all the evidence and testimony presented at the hearing the Sam Houston Race Park Board of Stewards hereby fines Mr. Keener five hundred (\$500) dollars and suspends his TxRC license for fifteen days (05/04/2015 through 05/18/2015) for the positive test indicated above.

Mitigating circumstances of four 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 Mr. Keener is denied access to all areas under the jurisdiction of the

By Order of the Board of Stewards

DAVID ROLLINSON
ANNE ALLEY
DENNIS SIDENER

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Texas Racing Commission. Entry of horses owned or trained by Mr. Keener is denied pending the sale or transfer to a party approved by the Board of Stewards.

The horse "Texas Silk" is hereby disqualified and declared unplaced in the sixth race at Lone Star Park on 10/18/2014 with the purse to be redistributed as follows. The sixth race at Lone Star Park on 10/18/14 was a trial heat for the Speedhorse Paint and Appaloosa Futurity. The disqualification in the trial heat warrants the Board of Stewards to declare the horse "Texas Silk" ineligible and disqualified for the Speedhorse Paint and Appaloosa Futurity finals, the ninth race at Lone Star Park on 11/15/2014 with the purse redistributed as follows:

Sixth Race 10/18/2014 at Lone Star Park

1. If Ur Buyn Im Flyn
 2. Cocked An Loaded
 3. Southern Snow
 4. Heavenly Rain
 5. Ape Hanger
 6. Flashin The Lace
 7. Hard Time Shadows
 8. Bestbudde
 9. Jewel Time
- Unplaced: Texas Silk

Ninth Race 11/08/2014 at Lone Star Park

1. Southern Snow
 2. Gitter Dun Turnpike
 3. Traxxus
 4. Cat Scratch Dash
 5. If Ur Buyn Im Flyn
 6. Cocked An Loaded
 7. Heavenly Rain
- Unplaced: Texas Silk
Cant Be Caught
Mai Dashing Hero

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Supplement # 1

03/10/2015

Effective March 5, 2015, the Commission received the appeal, bond and fine in this case. Executive Director Trout has denied the request for a stay.