BEFORE THE CALIFORNIA HORSE RACING BOARD

OF THE STATE OF CALIFORNIA

In the Matter of:

APPEAL OF THE BOARD OF STEWARDS
OFFICIAL RULING #002, DEL MAR
DATED 7/19/2026

JOEL ROSARIO
CHRB LICENSE 288557
APPELLANT

Case No. SAC 26-0009

DECISION

The attached Proposed Decision is adopted by the California Horse Racing Board in the above-entitled matter.

This Decision is hereby remanded to the Board of Stewards to issue a ruling and order imposing a three (3) day riding suspension.

IT IS SO ORDERED ON November 19, 2026.

Gregory L. Ferraro, DVM, Chairman
California Horse Racing Board

Dr. Gregory Ferraro, DVM
Digitally signed by Dr. Gregory Ferraro, DVM
Date: 2026.11.19 14:35:00 -08'00'

Scott Chaney, Executive Director
California Horse Racing Board

Chaney, Scott
Digitally signed by Chaney, Scott
Date: 2026.11.19 15:36:26 -08'00'

BEFORE THE

CALIFORNIA HORSE RACING BOARD

STATE OF CALIFORNIA

IN THE MATTER OF: APPEAL OF THE BOARD OF STEWARDS OFFICIAL RULING #002, DEL MAR DATED 7/19/2026 JOEL ROSARIO CHRB LICENSE 288557 APPELLANT	Case No.:DMTD002 (2026)/2 **Hearing date:** **September 16, 2026** **11am** **Los Alamitos Race Track**

PROPOSED DECISION

This matter was heard on September 16, 2026, by John Tyre, Esq, a Hearing Officer designated by the California Hore Racing Board, in person at Los Alamitos, race-course in Orange County, CA. On September 16, 2026, the parties conducted a hearing in person and on "Teams" which consisted of oral and video testimony and evidence.

Appellant, Joel Rosario was not present, but was represented by Attorney, Bing Bush.

Also present were:

Darryl McHargue, Chief Steward

Luis Jauregui, Steward

Kim Sawyer, Steward

Stuart Baker, Steward (through Teams video)

Jose Flores, Investigator

Michelle Perieg, Court Reporter

Bing Bush, Counsel for Mr. Rosario (through Teams video)

Jacquelyn Loyd, Counsel for CHRB

John Tyre, Attorney at Law, designated hearing officer

PROCEDURAL BACKGROUND

On July 18, 2026, Mr. Rosario was a licensed jockey who rode a horse by the name of "**in box**" in the 9th race at Del Mar Race-track. During the race, the appellant was in the number one position on the race-track entering the final stretch drive. During the stretch drive, "**in box"**, crossed from the number one position to almost the 7-8 position while coming down the stretch. During the time Mr. Rosario rode the horse down the stretch, he crossed into the path of the number 2 horse causing that horse to have to alter it's running style and caused the jockey on number 2 to pull the horse up losing the horse's

momentum thus violating section 1699 of the CHRB rules. Mr. Rosario's horse was not taken down because of the incident, but he was called into the Stewards office the following day to explain his side of the story. Mr. Rosario came into the meeting with his representative. At the film review meeting, the stewards unanimously agreed that the drift/veer of Mr. Rosario's horse was a clear violation of CHRB Rule 1699, and that violation called for a 3-day suspension which was unanimously decided by the Stewards.

CHRB rule 1699

a. A leading horse is entitled to any part of the course but when another horse is attempting to pass in a clear opening, the leading horse shall not cross over so as to compel the passing horse to shorten its stride.
b. A horse shall not interfere with any other horse. Interference is defined as bumping, impeding, forcing in or out or otherwise causing any other horse to lose stride, ground, momentum or position.
c. A horse which interferes with another as defined in subsection a or b may be disqualified and placed behind the horse so interfered with if or last, in the opinion of the Stewards, the horse interfered with was not at fault and the interference occurs in a part of the race where the horse interfered with loses the opportunity to place where it might reasonably be expected to finish.

d. Jockeys shall not ride carelessly, or willfully, so as to permit their mount to interfere with any other horse.

e. Jockeys shall not strike or strike at another horse or jockey so as to impede, interfere with, intimidate, or injure.

f. If a jockey rides in a manner contrary to this rule, the mount may be disqualified, and the jockey may be suspended or otherwise disciplined by the Stewards.

Evidence Produced

1. DMTD002 (2026) /2 RULING
2. Stewards summary of the proceedings that were held on the 19th with Mr.Rosario resulting in his suspension.
3. Stipulation that submitted paperwork for this hearing that was given to both parties prior to the hearing may be used as evidence.

Hearing Proceedings

At the hearing, there was testimony from Steward Sawyer regarding the decision that was made to suspend Mr. Rosario. Steward Sawyer indicated that the day after the incident, Mr. Rosario was called into the office to discuss the day prior incident. He arrived with his representative and after the discussion, he was handed down a three-day suspension.

Testimony today was taken as to why the horse was not disqualified. Steward Sawyer indicated that it did not appear another horse was prevented from its rightful finishing position, but the 3-day suspension was due to Mr. Rosario's careless riding by cutting over towards the rail and not giving enough room for the horse he cut in front of. We reviewed the videos of the race a number of times including the head on shot and the drone shots. In each of the videos, it appeared that Mr. Rosario, entered into the stretch in the number one slot and then came out to approximately the number 6-7 slot before coming back over into the number two slot. His last move cut off the horse behind him resulting in the stewards finding careless riding and giving him the suspension.

At the start of the hearing, Mr. Bush indicated that he would present evidence of Mr. Rosario's lack of prior suspension. Steward Sawyer indicated that she had no evidence of a prior careless riding incident within the last 60 days. Mr. Bush also indicated that he was agreeing that there was careless riding by Mr. Rosario. The only issue that this officer to consider is:

How Mr. Rosario's actions should be viewed in light of the new Amended, discretion based version of rule 1699 which governs Jockeys actions during a race and was there grounds under Business and Professions code 19517(a) which allows a hearing officer the ability to overturn a Stewards ruling if he finds any of 3 factors present:

A. Mistaken interpretation of the law.

B. New Evidence of a convincing nature

C. The best interests of racing would be served by overturning their decision.

Mr. Bush also indicated that, in light of the fewer racing days that a punishment of 2 days was too excessive. Any decision should be tempered based upon the new rules and the fewer days. One or two days would be fairer than the three issued.

POINTS AND AUTHORITIES

Rule 1699 Jockeys Riding Rules

During the running of the race:

g. A leading horse is entitled to any part of the course but when another horse is attempting to pass in a clear opening, the leading horse shall not cross over so as to compel the passing horse to shorten its stride.

h. A horse shall not interfere with any other horse. Interference is defined as bumping, impeding, forcing in or out or otherwise causing any other horse to lose stride, ground, momentum or position.

i. A horse which interferes with another as defined in subsection a or b may be disqualified and placed behind the horse so interfered with if or last, in the opinion of the Stewards, the horse interfered with was not at fault and the interference occurs in a part of the race where the horse interfered with loses the opportunity to place where it might reasonably be expected to finish.

j. Jockeys shall not ride carelessly, or wilfully, so as to permit their mount to interfere with any other horse.

k. Jockeys shall not strike or strike at another horse or jockey so as to impede, interfere with, intimidate, or injure.

l. If a jockey rides in a manner contrary to this rule, the mount may be disqualified and the jockey may be suspended or otherwise disciplined by the Stewards.

19517. (a) The board, upon due consideration, may overrule any steward's decision other than a decision to disqualify a horse due to a foul or a riding or a driving infraction in a race, if a preponderance of the evidence indicates any of the following:

- (1) The steward mistakenly interpreted the law.
- (2) New evidence of a convincing nature is produced.
- (3) The best interests of racing and the state may be better served.

(b) However, any decision pertaining to the finish of a race, as used for purposes of parimutuel fund distribution to winning ticketholders, may not be overruled. Furthermore, any decision pertaining to the distribution of purses may be changed only if a claim is made in writing to the board by one of the involved owners or trainers, and a preponderance of the evidence clearly indicates to the board that one or more of the grounds for protest, as outlined in regulations adopted by the board, has been substantiated. The chairperson of the board may issue a stay of execution pending appeal from a steward's decision if the facts justify the action.

CONSIDERATIONS

I have reviewed the transcript, my notes, the videos and the law. Since there was an agreement that the jockey rode carelessly I have only to consider whether the law allows me to do something different. Under B&P Code 19517a, I find that under the three sections a-c, the stewards acted properly and within their bounds. I find that because there was no reasoning given for the riding actions that there would be no valid reason for me to overrule the actions of the Stewards on the day after the race.

Therefore:

ORDER

The ruling under DMTD002 dated 7/19/2026 for careless riding under CHRB rule 1699 is affirmed.

Dated: 10/3/2026

_____JT_____

JohnTyre

Designated Appellate Officer