



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2019-DAA-1  
Track Downs at Albuquerque  
Ruling Date: 6/23/2019

Licensee: TORRES-BERRIOS, JOSE LUIS

License Type: Applicant Id: 162247  
License Number:

Ruling # 2019-DAA-1

Action Type: Initial Ruling

Ruling:

Applicant Jose Luis Torres Berrios having applied for an exercise person on June 23, 2019, at the Downs of Albuquerque, is hereby denied having tested positive for Amphetamines in the required drug test. Jose Luis Torres Berrios will be eligible to reapply in 60 days and must provide a negative drug test prior to licensure.

**Licensee is found to be in violation of and this Ruling is written in accordance with:**

*16.47.1 L (e) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license.*

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2019-DAA-2  
Track Downs at Albuquerque  
Ruling Date: 6/28/2019

Licensee: VEGA, MANUEL ALBERTO  
License Type: 2019 1 Year Trainer Applicant Id: 20356  
License Number: 293245

Ruling # 2019-DAA-2

Action Type: Initial Ruling

Ruling:

Trainer **Manuel Vega** was duly notified and waived his right to a hearing before the Board of Stewards on **June 28, 2019**. The hearing was in regard to a confirmed positive for **Testosterone (class 3 penalty category B drug)**, found in test sample **E306140**. The test sample was taken from the **Second place finisher "Positive Numbers"** following **the 4th race on April 2, 2019, at Sunland Park**.

The certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** indicated a finding of **Testosterone at 148 ng/ml in the urine**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Manuel Vega**.

**Brenda Mendoza-Rivera**, the **owner** of record for horse "**Positive Numbers**", was duly notified and waived her right to a hearing via telephone. In accordance with **15.2.6.9(B)(4) PENALTY RECOMMENDATIONS**, this is **Brenda Mendoza-Rivera's FIRST Class 3 B medication violation in a 365-day period**.

**MIDIGATING FACTOR: The gelding, "Positive Numbers", took an HGC test and was confirmed to be a ridgling .**

**For Manuel Vega's FIRST Class 3B medication violation in a 365- day period, issued in accordance with 15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS, the Board of Stewards hereby assess penalty as follows:**

**1. After consideration of Mitigating circumstances this case is dismissed.**

*Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards /16.47.1.8(T)Knowledge of the Rules /15.2.1.9(B)(9)(b): Appeal Procedures* An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2019-DAA-3  
Track Downs at Albuquerque  
Ruling Date: 6/29/2019

Licensee: Mendoza-Rivera, Brenda Yveet  
License Type: Applicant Id: 160064  
License Number:

Ruling # 2019-DAA-3

Action Type: Initial Ruling

Ruling:

Owner Brenda Mendoza-Rivera was duly notified and waived her right to a hearing before the Board of Stewards on June 28, 2019. The hearing was in regard to a confirmed positive for Testosterone (class 3 penalty category B drug), found in test sample E306140. The test sample was taken from the Second place finisher "Positive Numbers" following the 4th race on April 2, 2019, at Sunland Park.

The certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) indicated a finding of Testosterone at 148 ng/ml in the urine. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer of record Manuel Vega.

Manuel Vega, the Trainer of record for horse "Positive Numbers", was duly notified and waived his right to a hearing via telephone. In accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Manuel Vega's FIRST Class 3 B medication violation in a 365-day period.

MIDIGATING FACTOR: The gelding, "Positive Numbers", took an HGC test and was confirmed to be a ridgling.

For Brenda Mendoza-Rivera's FIRST Class 3B medication violation in a 365- day period, issued in accordance with 15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS, the Board of Stewards hereby assess penalty as follows:

1. After consideration of Mitigating circumstances this case is dismissed.
2. There will be no change to the order of finish for the 4th race on April 2, 2019 and the official order is as follows.
  - 1) Supreme Giant
  - 2) Positive Number
  - 3) Sir Amnesty
  - 4) Please Do Tell
  - 5) Super Day
  - 6) Irish Polo
  - 7) Bellamy Bling
  - 8) Billy Joe Who

Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards /16.47.1.8(T)Knowledge of the Rules /15.2.1.9(B)(9)(b): Appeal Procedures

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2019-DAA-4  
Track Downs at Albuquerque  
Ruling Date: 6/29/2019

Licensee: Mendoza-Rivera, Brenda Yveet  
License Type: Applicant Id: 160064  
License Number:

Ruling # 2019-DAA-4

Action Type: Initial Ruling

Ruling:

Owner **Brenda Mendoza-Rivera** was duly notified and waived her right to a hearing before the Board of Stewards on **June 28, 2019**. The hearing was in regard to a confirmed positive for **Testosterone (class 3 penalty category B drug)**, found in test sample **E316372**. The test sample was taken from the **Second place finisher "Positive Numbers"** following **the 7th race on April 20, 2019, at Sunland Park**.

The certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** indicated a finding of **Testosterone at 133 ng/ml in the urine**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer of record **Manuel Vega**.

**Manuel Vega**, the **Trainer** of record for horse "**Positive Numbers**", was duly notified and waived his right to a hearing via telephone. In accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is **Brenda Mendoza-Rivera's FIRST Class 3 B medication violation in a 365-day period**.

**MIDIGATING FACTOR:** The gelding, "**Positive Numbers**", took an HGC test and was confirmed to be a ridgling.

**For Brenda Mendoza-Rivera's FIRST Class 3B medication violation in a 365- day period, issued in accordance with 15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS**, the Board of Stewards hereby assess penalty as follows:

1. After consideration of **Mitigating circumstances** this case is dismissed.
2. There will be no change to the order of finish for the 7th race on April 20, 2019 and the official order is as follows.
  - 1) Irish Polo
  - 2) Positive Number
  - 3) Commanchero Spring
  - 4) Sky Harbor
  - 5) Trust the Van
  - 6) Please Do Tell
  - 7) McThanks
  - 8) City Lights Who

**Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards /16.47.1.8(T)Knowledge of the Rules /15.2.1.9(B)(9)(b)**

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2019-DAA-5  
Track Downs at Albuquerque  
Ruling Date: 6/29/2019

Licensee: VEGA, MANUEL ALBERTO  
License Type: Applicant Id: 20356  
License Number:

Ruling # 2019-DAA-5  
Action Type: Initial Ruling  
Ruling:

Trainer Manuel Vega was duly notified and waived his right to a hearing before the Board of Stewards on June 28, 2019. The hearing was in regard to a confirmed positive for Testosterone (class 3 penalty category B drug), found in test sample E316372. The test sample was taken from the Second place finisher "Positive Numbers" following the 7th race on April 20, 2019, at Sunland Park.

The certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) indicated a finding of Testosterone at 133 ng/ml in the urine. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Manuel Vega.

Brenda Mendoza-Rivera, the owner of record for horse "Positive Numbers", was duly notified and waived her right to a hearing via telephone. In accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Mauel Vega's FIRST Class 3 B medication violation in a 365-day period.

MIDIGATING FACTOR: The gelding, "Positive Numbers", took an HGC test and was confirmed to be a ridgling.

For Manuel Vega's FIRST Class 3B medication violation in a 365- day period, issued in accordance with 15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS, the Board of Stewards hereby assess penalty as follows:

1. After consideration of Mitigating circumstances this case is dismissed.

Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards /16.47.1.8(T)Knowledge of the Rules /15.2.1.9(B)(9)(b): Appeal Procedures An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2019-DAA-6  
Track Downs at Albuquerque  
Ruling Date: 6/29/2019

Licensee: HUDSON, KALIE SUSAN

License Type: Applicant Id: 30548  
License Number:

Ruling # 2019-DAA-6

Action Type: Initial Ruling

Ruling:

Applicant Kalie Hudson having applied for an exercise person on June 28, 2019, at the Downs of Albuquerque, is hereby denied having tested positive for Amphetamines & Methamphetamines in the required drug test. Kalie Hudson will be eligible to reapply in 6 months and must provide a negative drug test prior to licensure.

**Licensee is found to be in violation of and this Ruling is written in accordance with:**

*16.47.1 L (e) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license.*

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2019-DAA-7  
Track Downs at Albuquerque  
Ruling Date: 7/6/2019

Licensee: ROSENDO, IRWIN JESUS  
License Type: 2018 3 Year Jockey Applicant Id: 45713  
License Number: 292425

Ruling # 2019-DAA-7

Action Type: Initial Ruling

Ruling:

Jockey, Irwin Rosendo, having been summoned **and appeared** before the Board of Stewards **on July 6, 2019** for failure to make sufficient effort to control his mount during the running of the **5th race on July 5, 2019, at the Downs of Albuquerque Racetrack** while **aboard "Runaway Regent"**.

For this violation, the Board of Stewards assessed Irwin Rosendo a fine in the amount of \$200. The fine is to be paid on or before August 12, 2019 in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed shall result in immediate suspension.

**Licensee is found in violation of and written in accordance with:**

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13 (E) (3) (a) NMAC Post to Finish 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.

15.2.5.13 (E) (3) (b) NMAC Post to Finish The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

15.2.5.13 (E) (3) (c) NMAC Post to Finish If the stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey.

15.2.5.13(E)(4)(a) NMAC Disqualification. When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2019-DAA-8  
Track Downs at Albuquerque  
Ruling Date: 7/17/2019

Licensee: DELGADO-BUSTILLOS, IRVING  
License Type: 2019 1 Year Jockey Applicant Id: 46028  
License Number: 294009

Ruling # 2019-DAA-8

Action Type: Initial Ruling

Ruling:

Jockey **Irving Delgado-Bustillos** was summoned and appeared before the Board of Stewards on **July 14, 2019**, for failure to make sufficient effort to maintain his lane while aboard **“Tempting Lane”**, in the **8th race on July 12, 2019, at The Downs of Albuquerque Racetrack.**

The Board of Stewards hereby fines **Irving Delgado-Bustillos** in the amount of **two hundred dollars, (\$200.00)**. The fine is to be paid on or before **August 17, 2019**, in accordance with **15.2.3.8 (B) (3)(1)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

**Licensee is found to be in violation of and this ruling is written in accordance with:**

15.2.5.13(E)(3)(d) NMAC: Post to Finish (d) In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse.

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2019-DAA-9  
Track Downs at Albuquerque  
Ruling Date: 7/17/2019

Licensee: RIVERA, ALONSO  
License Type: 2019 3 Year Jockey Applicant Id: 19096  
License Number: 293082

Ruling # 2019-DAA-9

Action Type: Initial Ruling

Ruling:

Jockey Alonso Rivera, was duly notified and appeared before the Board of Stewards on June 17, 2019. The hearing was in regard to Alonso Rivera misuse of whip on his mount "Miss Wagon Fire" during the post parade for the 6th race on July 13, 2019, at the Downs of Albuquerque.

The Board of Stewards hereby fines Alonso Rivera in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before August 17, 2019, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

**Licensee is found to be in violation of and this ruling is written in accordance with**

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse; on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

16.47.1.8(U)(2) PROTECTION OF HORSES No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

16.47.1.8 (L)(1)(i) – CONDUCT The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing  
15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2019-DAA-10  
Track Downs at Albuquerque  
Ruling Date: 7/24/2019

Licensee: GARCIA-HERRERA, ENRIQUE D  
License Type: 2018 3 Year Jockey Applicant Id: 2011  
License Number: 290948

Ruling # 2019-DAA-10

Action Type: Initial Ruling

Ruling:

Jockey **Enrique Garcia**, was duly notified and appeared before the Board of Stewards on **June 21, 2019**. The hearing was in regard to **Enrique Garcia** misuse of whip on his mount "**She's So Bad**" after crossing the finish line in the **5th race on July 20, 2019, at the Downs of Albuquerque**.

The Board of Stewards hereby fines **Enrique Garcia** in the amount of **five hundred dollars (\$500.00)**. The fine is to be paid on or before **August 24, 2019**, in accordance with **15.2.3.8(B)(3)(I) NMAC**. Failure to pay the fine within the time prescribed will result in immediate suspension.

**Licensee is found to be in violation of and this ruling is written in accordance with**

**15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse:** on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; **during the post parade or after the finish of the race except when necessary to control the horse;** excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

**16.47.1.8(U)(2) PROTECTION OF HORSES** No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

**16.47.1.8 (L)(1)(i) – CONDUCT** The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing  
**15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a) Failure to Appeal/ 15.2.1.9(B)(9)(b):**

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
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Ruling #: 2019-DAA-11  
Track Downs at Albuquerque  
Ruling Date: 7/24/2019

Licensee: MARTINEZ, EDGAR S  
License Type: 2016 3 Year Jockey Applicant Id: 35567  
License Number: 283678

Ruling # 2019-DAA-11

Action Type: Initial Ruling

Ruling:

Jockey **Edgar S. Martinez**, was duly notified and appeared before the Board of Stewards on **June 21, 2019**. The hearing was in regard to **Edgar S. Martinez's** excessive use of the whip on his mount "**Soul Stripper**" in the **7th race on July 20, 2019, at the Downs of Albuquerque**.

The Board of Stewards hereby fines **Edgar S. Martinez** in the amount of **five hundred dollars (\$500.00)**. The fine is to be paid on or before **August 24, 2019**, in accordance with **15.2.3.8(B)(3)(I) NMAC**. Failure to pay the fine within the time prescribed will result in immediate suspension.

**Licensee is found to be in violation of and this ruling is written in accordance with**

**15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse:** on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; **during the post parade or after the finish of the race except when necessary to control the horse;** excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

**16.47.1.8(U)(2)PROTECTION OF HORSES** No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

**16.47.1.8 (L)(1)(i) – CONDUCT** The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing  
**15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures**

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: 2019-DAA-12  
Track Downs at Albuquerque  
Ruling Date: 7/24/2019

Licensee: HINOJOSA-NIETO, APOLONIO  
License Type: 2018 3 Year Jockey Applicant Id: 34112  
License Number: 292497

Ruling # 2019-DAA-12  
Action Type: Initial Ruling  
Ruling:

Jockey **Paul H. Nieto**, was duly notified and appeared before the Board of Stewards on **June 24, 2019**. The hearing was in regard to **Paul H. Nieto's** excessive use of the whip on his mount "**Famous Lady**" in the **3rd race on July 21, 2019, at the Downs of Albuquerque**.

The Board of Stewards hereby fines **Paul H. Nieto** in the amount of **five hundred dollars (\$500.00)**. The fine is to be paid on or before **August 24, 2019**, in accordance with **15.2.3.8(B)(3)(I) NMAC**. Failure to pay the fine within the time prescribed will result in immediate suspension.

**Licensee is found to be in violation of and this ruling is written in accordance with**

**15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse:** on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; **during the post parade or after the finish of the race except when necessary to control the horse;** excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

**16.47.1.8(U)(2)PROTECTION OF HORSES** No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

**16.47.1.8 (L)(1)(i) – CONDUCT** The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing  
**15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures**

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.

For Walk