



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-NMS-26
Track: New Mexico State Fair
Ruling Date: 9/16/2018

Licensee: RIVERA,SR FELIPE BENITO
License Type: 2016 3 Year Trainer Applicant Id: 24836
License Number: 281888

Ruling # 2018-NMS-26

Action Type: Initial Ruling

Ruling:

This ruling was done in error

By Order of The New Mexico State Fair 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.

Jinda Salinas For Wolf Victor Enah



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-NMS-27
Track: New Mexico State Fair
Ruling Date: 9/19/2018

Licensee: RAMIREZ, ESTEBAN
License Type: 2017 3 Year Trainer Applicant Id: 19424
License Number: 287884

Ruling # 2018-NMS-27

Action Type: Initial Ruling

Ruling:

Trainer: Esteban Ramierez, having been duly notified and appeared to waive his right to a hearing before the Board of Stewards on September 14, 2018, regarding a lab report from Industrial Laboratories (the official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse "Miracle Bunny" (Test Sample #: E276246), who was scratched from the 7th race on June 30, 2018 at the Downs at Albuquerque Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **Esteban Ramierez**, and declined.

Fidel Diaz, is the owner of record for horse "Miracle Bunny".

Licensee is found in violation of

15.2.6.9(C)(1) : prima facie evidence Which states that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race (b) therapeutic medications in excess of established acceptable levels".

15.2.6.9(C)(4) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

For Esteban Ramirez SECOND Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (B)(2)Penalty Recommendations, the Board of Stewards assessed a penalty as follows:

1. **A 180 day suspension** of all NMRC licenses starting September 24, 2018, through March 21, 2019, inclusive.
2. A **(\$2500.00) Twenty-Five Hundred dollar fine to paid on or before October 19, 2018**, in accordance with 15.2.3.8 (B)(3)(I) . Failure to pay fine in prescribed time may result in an immediate suspension.
3. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7), 15.2.6.9(C)(5)(c), 15.2.6.9(C)(4), the horse "Miracle Bunny" is placed on the Stewards list for a period of 60 days (beginning **July 17, 2018**). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

During said time of applicable suspension, **Esteban Ramierez**, is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a-b). Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of **Esteban Ramierez**, are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) .

This ruling is written in accordance with

15.2.6.11(A)(B) NMAC: Trainer Responsibility

16.47.1.10(B)(1)(2) NMAC: Absolute Insurer Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

15.2.1.9(b): 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 New Mexico State Fair Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-NMS-28
Track New Mexico State Fair
Ruling Date: 9/19/2018

Licensee: DIAZ, FIDEL
License Type: 2017 3 Year Owner
Applicant Id: 86566
License Number: 287281

Ruling # 2018-NMS-28

Action Type: Initial Ruling

Ruling:

Owner: Fidel Diaz, having been duly notified and appeared to waive his right to a hearing before the Board of Stewards on September 9, 2018, regarding a lab report from Industrial Laboratories (the official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse "Miracle Bunny" (Test Sample #: E276246), who was scratched from the 7th race on June 30, 2018 at the Downs at Albuquerque Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded and declined.

Esteban Ramirez, is the Trainer of record for horse "Miracle Bunny".

Licensee is found in violation of

15.2.6.9(C)(1) : prima facie evidence Which states that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race (b) therapeutic medications in excess of established acceptable levels".

15.2.6.9(C)(4) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

For Fidel Diaz First Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (B)(2)Penalty Recommendations, the Board of Stewards assessed a penalty as follows:

1. A Warning.
2. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7), 15.2.6.9(C)(5)(c), 15.2.6.9(C)(4), the horse "Miracle Bunny" is placed on the Stewards list for a period of 60 days (beginning **July 17, 2018**). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
3. There is no change to the official order of finish.

This ruling is written in accordance with

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 15.2.6.9(B)Penalty Recommendations.

By Order of The New Mexico State Fair 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 #: 2018-NMS-29
Track New Mexico State Fair
Ruling Date: 9/19/2018

Licensee: ESTRADA-DOMINGUEZ, MANUEL
License Type: 2016 3 Year Jockey Applicant Id: 159083
License Number: 283041

Ruling # 2018-NMS-29

Action Type: Initial Ruling

Ruling:

Jockey **Manuel Estrada**, having been duly notified **and having appeared** before the Board of Stewards on **September 19, 2018**, for striking his mount "**Dulce Corona**" behind the gate during **the 3rd race on September 16, 2018 at The New Mexico State Fair Racetrack.**

Licensee is found to be in violation of:

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.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) NMAC Notice Except as provided by these rules regarding summary suspension, jockey riding infractions and trial races, the stewards or a racing commission designee shall provide written notice, at least 10 days before the hearing, to a person who is the subject of a disciplinary hearing. The person may waive their right to 10 days notice by executing a written waiver.

For this rule violation, the Board of Stewards assessed **Manuel Estrada** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **September 19, 2018**, in accordance with **15.2.3.8(B)(3)(I) NMAC**. Failure to pay the fine within the time prescribed may result in immediate suspension.

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 New Mexico State Fair 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 #: 2018-NMS-30
Track: New Mexico State Fair
Ruling Date: 9/20/2018

Licensee: GUTIERREZ, HOMERO
License Type: 2017 3 Year Trainer Applicant Id: 20416
License Number: 287714

Ruling # 2018-NMS-30

Action Type: Initial Ruling

Ruling:

Trainer: Homero Gutierrez; having been duly notified and having waived his rights to a hearing before the Board Of Stewards on September 19, 2018, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMSRC), for a confirmed positive for the drug, Dexamethasone (class 4C-Major penalty) found in test sample E276286 taken from the 1st place finisher "A Cee Doo Cee" following the 1st race, on July 4, 2018, at the Downs at Albuquerque.

The original lab report indicated a finding of Dexamethasone at 19.5 pg/ml in the blood, the allowable limit for Dexamethasone is 5 pg/ml in the blood (15.2.6.9 Attachment 2 Page 3). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Homero Gutierrez.

Craig Gentry and Gerald W. Gentry are the owners of record for horse "A Cee Doo Cee"

In accordance with rules 15.2.6.9 (B)(4), this is Homero Gutierrez FIRST Class 4C-Major medication violation.

For Homero Gutierrez's FIRST Class 4C-Major medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4), the Board of Stewards assessed a penalty as follows:

1. A (\$1,000) One thousand dollar fine to paid on or before October 20, 2018, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay fine in prescribed time will result in an immediate suspension.

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations.

By Order of The New Mexico State Fair 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 #: 2018-NMS-31
Track: New Mexico State Fair
Ruling Date: 9/20/2018

Licensee: GENTRY, CRAIG WAYNE

License Type: 2017 3 Year Owner Applicant Id: 9246
License Number: 287139

Ruling # 2018-NMS-31

Action Type: Initial Ruling

Ruling:

Owner: **Craig Gentry**; having been duly notified and having waived his rights to a hearing before the **Board Of Stewards on September 19, 2018, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMSRC)**, for a confirmed positive for the drug, **Dexamethasone** (class 4C-Major penalty) found in test sample **E276286** taken from the **1st place finisher "A Cee Doo Cee"** following the **1st race, on July 4, 2018, at the Downs at Albuquerque.**

The original lab report indicated a finding of **Dexamethasone at 19.5 pg/ml in the blood**, the allowable limit for **Dexamethasone** is 5 pg/ml in the blood (**15.2.6.9 Attachment 2 Page 3**). Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to and declined by trainer **Homero Gutierrez**. **Homero Gutierrez** is the trainer of record for horse "**A Cee Doo Cee**"

In accordance with rules **15.2.6.9 (B)(4)**, this is **Craig Gentry's FIRST Class 4C-Major medication violation.**

For **Craig Gentry's FIRST Class 4C-Major medication violation, in a 365-day period**, issued in accordance with **15.2.6.9 (B)(4)**, the Board of Stewards assessed a penalty as follows:

1. The horse "**A Cee Doo Cee**" is hereby disqualified from **1st place** and ordered unplaced from the **1st race on July 4, 2018, at the Downs at Albuquerque** for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Superpass
2. All Trumped Up
3. Dos Palos
4. Sun Kingdom
5. Leading Prospect
6. Dream Again

Unplaced "A Cee Doo Cee"

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations15.2.1.9(B)(9)(b): 15.2.5.13(E)(4)(d) Purse Redistribution

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

By Order of The New Mexico State Fair Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-NMS-32
Track: New Mexico State Fair
Ruling Date: 9/20/2018

Licensee: GENTRY, GERALD WAYNE
License Type: 2017 3 Year Owner Applicant Id: 9297
License Number: 287579

Ruling # 2018-NMS-32

Action Type: Initial Ruling

Ruling:

Owner: **Gerald W. Gentry**; having been duly notified and having waived his rights to a hearing before the **Board Of Stewards on September 19, 2018, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMSRC)**, for a confirmed positive for the drug, **Dexamethasone** (class 4C-Major penalty) found in test sample **E276286** taken from the **1st place finisher "A Cee Doo Cee"** following the **1st race, on July 4, 2018, at the Downs at Albuquerque.**

The original lab report indicated a finding of **Dexamethasone at 19.5 pg/ml in the blood**, the allowable limit for **Dexamethasone** is 5 pg/ml in the blood (**15.2.6.9 Attachment 2 Page 3**). Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to and declined by trainer **Homero Gutierrez**.

Homero Gutierrez is the trainer of record for horse "**A Cee Doo Cee**"

In accordance with rules **15.2.6.9 (B)(4)**, this is **Gerald W. Gentry's FIRST Class 4C-Major medication violation.**

For **Gerald W. Gentry's FIRST Class 4C-Major medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4)**, the Board of Stewards assessed a penalty as follows:

1. The horse "**A Cee Doo Cee**" is hereby disqualified from **1st place** and ordered unplaced from the **1st race on July 4, 2018, at the Downs at Albuquerque** for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Superpass
2. All Trumped Up
3. Dos Palos
4. Sun Kingdom
5. Leading Prospect
6. Dream Again

Unplaced "**A Cee Doo Cee**"

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations**15.2.1.9(B)(9)(b): 15.2.5.13(E)(4)(d) Purse Redistribution**

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



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: 2018-NMS-33
Track: New Mexico State Fair
Ruling Date: 9/21/2018

Licensee: ORDAZ-CARRILLO, JULIAN
License Type: 2017 3 Year Trainer Applicant Id: 30515
License Number: 287185

Ruling # 2018-NMS-33

Action Type: Initial Ruling

Ruling:

Trainer: **Julian Ordaz** was duly notified, and appeared before the Board of Stewards on **September 19, 2018**. The hearing was in regard to a certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** for a confirmed positive for the (class 3 penalty B) drug "**Albuterol**" and the (Class 4 penalty C) drug **Dexamethasone** in the horse "**Blazin Jr**" (Test Sample #: **E276883**) who **finished SECOND place in the 10th race on August 11, 2018, at The Downs at Albuquerque.**

The certificate of analysis detected "**Albuterol**" at a **level of 86 ng/ml in the urine, which exceeds the authorized limit of 1 ng/ml. (15.2.6.9 NMAC attachment #2)**, and **Dexamethasone at 38.9 pg/ml in blood which exceeds the limit of 5 pg/ml.** Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Julian Ordaz.**

Rodolfo Chavez, is the owner of record for horse "**Blazin Jr.**", was duly notified.

In accordance with **15.2.6.9 (B)(2) Penalty Recommendations**, This is **Julian Ordaz's FIRST Class 3B and 4C-Major medication violation in a 365-day period.**

For Julian Ordaz's FIRST Class 3B and 4C-Major medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with **15.2.6.9 (B)(2) and (C)(4) Penalty Recommendations**, as follows:

1. A **60 day suspension of all NMRC licenses starting September 19, 2018, through November 16, 2018, inclusive.**
2. A **(\$2000.00) Two Thousand Dollar fine to paid on or before October 19, 2018.** In accordance with 15.2.3.8 (B)(3)(I) NNRC, failure to pay the fine in the prescribed time will result in an immediate suspension.

During said time of applicable suspension **Julian Ordaz** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**. Additionally, effective upon applicable suspension dates, all horses **owned or trained by or under the care and custody of Julian Ordaz** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **owned or trained by or under the care and custody of Julian Ordaz** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.**

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations **15.2.1.9(B)(9)(b):**

By Order of The New Mexico State Fair 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 #: 2018-NMS-34
Track: New Mexico State Fair
Ruling Date: 9/21/2018

Licensee: CHAVEZ, RODOLFO
License Type: 2017 3 Year Owner Applicant Id: 116748
License Number: 287987

Ruling # 2018-NMS-34

Action Type: Initial Ruling

Ruling:

Owner: **Rodolfo Chavez** was duly notified, and appeared before the Board of Stewards on **September 19, 2018**. The hearing was in regard to a certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** for a confirmed positive for the (class 3 penalty B) drug **"Albuterol"** and the (Class 4 penalty C) drug **Dexamethasone** in the horse **"Blazin Jr" (Test Sample #: E276883)** who **finished SECOND place in the 10th race on August 11, 2018, at The Downs at Albuquerque.**

The certificate of analysis detected **"Albuterol"** at a **level of 86 ng/ml in the urine, which exceeds the authorized limit of 1 ng/ml. (15.2.6.9 NMAC attachment #2)**, and **Dexamethasone at 38.9 pg/ml in blood which exceeds the limit of 5 pg/ml.** Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer **Julian Ordaz.**

In accordance with **15.2.6.9 (B)(2) Penalty Recommendations**, This is **Rodolfo Chavez's FIRST Class 3B and 4C-Major medication violation in a 365-day period.**

For Rodolfo Chavez's FIRST Class 3B and 4C-Major medication violation in a 365-day period, the Board of Stewards hereby assess a penalty, issued in accordance with 15.2.6.9 (B)(2) and (C)(4) Penalty Recommendations, as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse **"Blazin Jr"** is placed on the Stewards list for a period of 60 days (beginning **August 30, 2018**). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
2. The horse **"Blazin Jr"** is hereby disqualified from **2nd place** and ordered unplaced from the **10th race on August 11, 2018, at the Downs at Albuquerque** for all but pari-mutuel wagering. The purse redistribution is as follows.
 1. Big Daddys Valentine 7. Cash Stick
 2. Dash to Wisdom 8. Magnificent Chick
 3. My Mister Pt 9. Sweet Streakin Jesse
 4. Kg Royal Sixes
 5. Jesses Got It Going
 6. I Know How to Fly

Unplaced **"Blazin Jr"**

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations15.2.1.9(B)(9)(b): 15.2.5.13(E)(4)(d) Purse Redistribution

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.



New Mexico Racing Commission
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Ruling #: 2018-NMS-35
Track: New Mexico State Fair
Ruling Date: 9/21/2018

Licensee: APODACA-DIAZ, LUIS
License Type: 2017 3 Year Jockey Applicant Id: 33930
License Number: 287118

Ruling # 2018-NMS-35

Action Type: Initial Ruling

Ruling:

Jockey **Luis A. Apodaca**, having been duly notified, appeared before the Board of Stewards on **September 21, 2018**, regarding his excessive use of the whip after the finish of the 4th race on September 20, 2018 at The New Mexico State Fair Race Track.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

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.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) NMAC Notice Except as provided by these rules regarding summary suspension, jockey riding infractions and trial races, the stewards or a racing commission designee shall provide written notice, at least 10 days before the hearing, to a person who is the subject of a disciplinary hearing. The person may waive their right to 10 days notice by executing a written waiver.

For this rule violation, the Board of Stewards assessed **Luis Apodaca** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **October 20, 2018**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed will result in immediate suspension.

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 New Mexico State Fair 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 #: 2018-NMS-36
Track: New Mexico State Fair
Ruling Date: 9/22/2018

Licensee: MARTINEZ, DANNY EDWARD
License Type: 2017 3 Year Trainer Applicant Id: 15993
License Number: 285593

Ruling # 2018-NMS-36

Action Type: Initial Ruling

Ruling:

Trainer: **Danny E. Martinez**; having been duly notified and having waived his rights to a hearing before the **Board Of Stewards on September 22, 2018, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMSRC)**, for a confirmed positive for the drug, **Dexamethasone** (class 4C-Major penalty) found in test sample **E277114** taken from the **1st place finisher "Mercedes Starlett"** following **the 2nd race, on September 1, 2018, at the Downs at Albuquerque.**

The original lab report indicated a finding of **Dexamethasone at 26 pg/ml in the blood**, the allowable limit for **Dexamethasone** is 5 pg/ml in the blood (**15.2.6.9 Attachment 2 Page 3**). Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to and declined by **Danny E. Martinez.**

Frank Alderete is the owner of record for horse "**Mercedes Starlett**"

In accordance with rules **15.2.6.9 (B)(4)**, this is **Danny E. Martinez FIRST Class 4C-Major medication violation.**

For **Danny E. Martinez's FIRST Class 4C-Major medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4)**, the Board of Stewards assessed a penalty as follows:

1. A **(\$1,000) One thousand dollar fine to paid on or before October 22, 2018,** in accordance with **15.2.3.8 (B)(3)(I) NMAC.** Failure to pay fine in prescribed time will result in an immediate suspension.

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations.

By Order of The New Mexico State Fair 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 #: 2018-NMS-37
Track: New Mexico State Fair
Ruling Date: 9/22/2018

Licensee: ALDERETE, FRANK
License Type: 2016 3 Year Owner Applicant Id: 158404
License Number: 280516

Ruling # 2018-NMS-37

Action Type: Initial Ruling

Ruling:

Owner: Frank Alderete; having been duly notified and having waived his rights to a hearing telephonically before the Board Of Stewards on September 22, 2018, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMSRC), for a confirmed positive for the drug, **Dexamethasone** (class 4C-Major penalty) found in test sample **E277114** taken from the 1st place finisher "Mercedes Starlett" following the 2nd race, on September 1, 2018, at the Downs at Albuquerque.

The original lab report indicated a finding of Dexamethasone at 26 pg/ml in the blood, the allowable limit for Dexamethasone is 5 pg/ml in the blood (15.2.6.9 Attachment 2 Page 3). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined.

Danny Martinez is the trainer of record for horse "Mercedes Starlett"

In accordance with rules 15.2.6.9 (B)(4), this is Frank Alderete's FIRST Class 4C-Major medication violation. For Frank Alderete's FIRST Class 4C-Major medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4), the Board of Stewards assessed a penalty as follows:

1. **The horse "Mercedes Starlett" is hereby disqualified from 1st place and ordered unplaced from the 2nd race on September 1st, 2018, at the Downs at Albuquerque for all but pari-mutuel wagering. The purse redistribution is as follows.**

- 1 Luna's Empire
 - 2 Just Keep Movin
 - 3 Liza G.
 - 4 Flatout Happy
 - 5 Madra Coquette
 - 6 Attila's Apollo
 - 7 Kitty Kan Go
 - 8 Secretsdoublestar
 - 9 My Last Penny
- Unplaced "Mercedes Starlett"

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 15.2.6.9(B)Penalty Recommendations. 15.2.5.13(E)(4)(d) Purse Redistribution

By Order of The New Mexico State Fair 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 #: 2018-NMS-38
Track: New Mexico State Fair
Ruling Date: 9/23/2018

Licensee: MELANCON, JANSEN GERARD
License Type: 2018 1 Year Jockey Applicant Id: 161162
License Number: 290553

Ruling # 2018-NMS-38

Action Type: Initial Ruling

Ruling:

Jockey, **Jansen Melancon** having been summoned and having appeared before the Board of Stewards on September 23, 2018, for careless riding during the running of the **fifth race on September 22, 2018, at The New Mexico State Fair**, while aboard "**Bellamy Bling**" which resulted in his mount being DQ for interference in the stretch.

Licensee is found in violation of:

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: Which states in pertinent part that "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."

For this violation, the Board of Stewards assessed **Jansen Melancon** a fine in the amount of **two hundred dollars, (\$200.00)**. This fine is to be paid on or before **October 23, 2018** 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.

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

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 New Mexico State Fair 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 #: 2018-NMS-39
Track: New Mexico State Fair
Ruling Date: 9/23/2018

Licensee: LARUE, KENNETH MIKE
License Type: 2018 1 Year Paddock J Applicant Id: 16503
License Number: 291039

Ruling # 2018-NMS-39

Action Type: Initial Ruling

Ruling:

Paddock Judge Kenneth Larue having been duly notified appeared, and had his hearing held before the Board of Stewards on **September 23, 2018**, for working unprofessionally for his position in the paddock.

Licensee is found to be in violation of:

16.47.1.8 (L)(i) NMAC – Which states in pertinent part “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.

For this rule violation, the Board of Stewards assessed **Kenneth Larue** a penalty in the amount of **two hundred fifty dollars (\$250.00)** and a 7 day suspension beginning September 24, 2018 through September 30. The fine is to be paid on or before October 23, 2018, 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.

This ruling is written in accordance with:

15.2.1.9(B)(4)(d) Nonappearance of a summoned party

15.2.3.8 B (3)(f) 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 New Mexico State Fair 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.