



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-162
Track Sunland Park
Ruling Date: 3/13/2018

Licensee: DIAZ, VICTOR

License Type: 2015 3 Year Owner Applicant Id: 12007
License Number: 280296

Ruling # 2018-SUN-162

Action Type: Rescinded

Ruling:

RE: 2018-SUN-162 - Ruling Rescinded **15.2.3.8(B)(1)(e) Stewards Authority** The stewards shall have the authority to amend, revoke, rescind or modify any ruling that they issued in error in accordance with the laws of this state and these rules. Ruling issued in error per Investigator Ryan, having failed to properly notice licensee.

By Order of The Sunland Park 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.

David Smith

Jill Calkins

Ron Walker



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-152
Track Sunland Park
Ruling Date: 3/10/2018

Licensee: ORONA, JR MARTIN M.

License Type: 2016 3 Year Owner Applicant Id: 32292
License Number: 282071

Ruling # 2018-SUN-152
Action Type: Modified Ruling
Ruling:

RE: 2018-SUN-152 - Modified Ruling 15.2.3.8(B)(1)(e) Stewards Authority The stewards shall have the authority to amend, revoke, rescind or modify any ruling that they issued in error in accordance with the laws of this state and these rules. The State Investigator changed to include the name "Ryan". Owner/Trainer Martin Orona Jr. was duly notified and represented by attorney Daniel Marquez before the Board of Stewards on March 10, 2018, for a hearing that was continued at the request of Daniel Marquez from January 14, 2018, to January 28, 2018, and then continued again to March 10, 2018. The hearing was in regard to an affidavit from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the class 3 penalty B drug stanozolol metabolite "OH-stanozolol" detected in the urine of horse "Johnny Walker" (Test Sample #: NM12865), who finished FIRST place in the 2nd race on June 5, 2015, at Ruidoso Downs Racetrack in Ruidoso, NM.

Rogelio Carrasco Sr., the owner of horse "Johnny Walker", was duly notified and failed to appear for this hearing.

The Board of Stewards hereby dismisses this case due to lack of evidence presented by State Investigator Ryan during the hearing. The case is hereby dismissed and the purse being held from the 2nd race on June 5, 2015, at Ruidoso Downs Racetrack shall be released in its original order.

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

15.2.1.9(B)(6)(b) Proceedings Before The Board Of Stewards: Evidence The stewards shall allow a full presentation of evidence and are not bound by the technical rules of evidence. The stewards may admit hearsay evidence if the stewards determine the evidence is of a type that is commonly relied on by reasonably prudent people. The rules of privilege recognized by state law apply in hearings before the stewards. Hearsay evidence alone is insufficient basis for a ruling.

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."



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Ruling #: 2018-SUN-164
Track Sunland Park
Ruling Date: 3/13/2018

Licensee: CORRAL, DAMIAN ALVARADO

License Type: 2016 3 Year Jockey Applicant Id: 32418
License Number: 280514

Ruling # 2018-SUN-164

Action Type: Final Outcome

Ruling:

RE: 2018-SUN-164 - Ruling Final Outcome

Jockey, Damian Corral, was summarily suspended on **March 13, 2018**, and waived **his** rights to a formal disciplinary hearing before the Board of Stewards on **March 20, 2018**. **Damian Corral** tested positive for **Marijuana (THC)** during a drug screening on **March 13, 2018**.

The Board of Stewards hereby suspends all NMRC licenses belonging to **Damian Corral** for **60 days, March 13, 2018, through May 11, 2018, inclusive** (retroactive from the summary suspension issued on **March 13, 2018**). **30 days will be deferred upon immediate enrollment in Chaplain Donald Stover's "Turning Point Program" (16.47.1.18(C)). After 30 days has been served, Damian Corral must submit a negative sample and is given probationary status. Furthermore, Damian Corral may be tested at the request of the stewards at any time. Failure to attend "The Turning Point Program" will result Damian Corral's immediate suspension to serve the remainder of the 60 days.**

Per 15.2.1.9 (C)(21)(a-b) NMAC, While under suspension, **Damian Corral** is excluded from all areas of the grounds under the jurisdiction of the NMRC.

Licensee is found to be in violation of and this ruling is written in accordance with:
16.47.1.17 (A)(1) TESTING PROCEDURES/16.47.1.17 (A)(2) TESTING PROCEDURES /16.47.1.16 (C)(7) Restricted Activities

16.47.1.8 (L)(1)(i)Conduct / 16.47.1.17 (A)(3) TESTING PROCEDURES /16.47.1.8 (E)AGREEMENT TO SEARCH AND SEIZURE /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 Sunland Park 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.



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Ruling #: 2018-SUN-153
Track Sunland Park
Ruling Date: 3/10/2018

Licensee: CARRASCO,SR ROGELIO T
License Type: 2015 3 Year Owner Applicant Id: 9186
License Number: 278481

Ruling # 2018-SUN-153
Action Type: Modified Ruling
Ruling:

RE: 2018-SUN-153 - Modified Ruling 15.2.3.8(B)(1)(e) Stewards Authority The stewards shall have the authority to amend, revoke, rescind or modify any ruling that they issued in error in accordance with the laws of this state and these rules. The State Investigator changed to include the name "Ryan". Owner **Rogelio Carrasco Sr.** was duly notified, failed to appear, and had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d)non-appearance, before the Board of Stewards on March 10, 2018. The hearing was in regard to an affidavit from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the class 3 penalty B drug stanozolol metabolite "OH-stanozolol" detected in the urine of horse "Johnny Walker"(Test Sample #: NM12865), who finished FIRST place in the 2nd race on June 5, 2015, at Ruidoso Downs Racetrack in Ruidoso, NM.

Martin Orona Jr., the trainer of horse "Johnny Walker", was duly notified and represented by attorney Daniel Marquez before the Board of Stewards on March 10, 2018, for a hearing that was continued at the request of Daniel Marquez from January 14, 2018, to January 28, 2018, and then continued again to March 10, 2018.

The Board of Stewards hereby dismisses this case due to lack of evidence presented by the State Investigator during the hearing. The case is hereby dismissed and the purse being held from the 2nd race on June 5, 2015, at Ruidoso Downs Racetrack shall be released in its original order.

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

15.2.1.9(B)(6)(b) Proceedings Before The Board Of Stewards: Evidence The stewards shall allow a full presentation of evidence and are not bound by the technical rules of evidence. The stewards may admit hearsay evidence if the stewards determine the evidence is of a type that is commonly relied on by reasonably prudent people. The rules of privilege recognized by state law apply in hearings before the stewards. Hearsay evidence alone is insufficient basis for a ruling.

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."



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-119
Track: Sunland Park
Ruling Date: 2/25/2018

Licensee: ALVAREZ, JESUS AROON

License Type: 2016 3 Year Owner Applicant Id: 3719
License Number: 284398

Ruling # 2018-SUN-119
Action Type: Penalty Affirmed
Ruling:

RE: 2018-SUN-119 - Penalty Affirmed

Owner Jesus Alvarez (currently under summary suspension) was duly notified, failed to appear, and had **his** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, before the Board of Stewards on **March 17, 2018**. The hearing was in regard to **Jesus Alvarez** misrepresenting the horse **"Tarzan On Fire"** when the horse was brought through the Sunland Park Stable Gate on February 24, 2018, and presented as another horse on the health certificate. (**"Tarzan On Fire"** did not have a current health certificate).

The Board of Stewards hereby assess **Rene Saucedo** a penalty of:

1. A fine in the amount of **two thousand and five hundred dollars (\$2,500.00)**. The fine is to be paid on or before **April 18, 2018**, in accordance with 15.2.3.8(B)(3)(l). Failure to pay the fine within the time prescribed may result in immediate suspension.
2. A **6 month suspension** of all NMRC licenses **February 24, 2018, through August 24, 2018, inclusive**. (retroactive from the summary suspension issued on February 24, 2018.)

During said time of applicable suspension **Jesus Alvarez** 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 under the care of Jesus Alvarez** 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 trained by or in the care and custody of **Jesus Alvarez** must done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances** and **15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with :16.47.1.8(L)(1)(f) CONDUCT MAKING FALSE OR MISLEADING STATEMENTS/16.47.1.8 (L)(1)(i) – CONDUCT DETRIMENTAL TO HORSE RACING 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



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Ruling #: 2017-SUN-239
Track Sunland Park
Ruling Date: 12/31/2017

Licensee: CARDENAS, ISAIAS GONZALEZ

License Type: 2015 3 Year Jockey Applicant Id: 30527
License Number: 277218

Ruling # 2017-SUN-239

Action Type: Restored

Ruling:

RE: 2017-SUN-239 - Restored to Good Standing

Jockey ISAIAS GONZALEZ CARDENAS, is hereby restored to good standing, effective **March 20, 2018**, after paying the **(\$200) two hundred dollar** fine assessed in **Ruling 2017-NMS-29**.

By Order of The Sunland Park 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.