



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-78
Track SunRay Park
Ruling Date: 5/21/2018

Licensee: SEDILLO, TONY E
License Type: 2015 3 Year Trainer Applicant Id: 16607
License Number: 280236

Ruling # 2018-SRP-78

Action Type: Initial Ruling

Ruling:

Trainer **Tony E. Sedillo** having appeared telephonically before the Board of Stewards on **May 21, 2017**, for failing to have registration papers on file for entry "**Hottothetouch**", which resulted in a late scratch and mutuel refund in the **6th race on May 20, 2018** at SunRay Park Racetrack.

Licensee is found to be in violation of.

15.2.5.12(B) NMAC: Which states in pertinent part "A horse shall be ineligible to start in a race when its breed registration certificate is not on file with the racing secretary".

For this violation, the Board of Stewards assessed **Tony E. Sedillo** a fine in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **June 21, 2018** in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

This ruling is written in accordance with

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 SunRay 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-79
Track SunRay Park
Ruling Date: 5/21/2018

Licensee: Lull, Richard Edward
License Type: 2017 1 Year Jockey Applicant Id: 159857
License Number: 285743

Ruling # 2018-SRP-79

Action Type: Initial Ruling

Ruling:

Jockey Richard Lull having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **May 21, 2018**, concerning a fight in the jockey room after the results of the jockey objection made during the 1st race on May 20, 2018.

Licensee is found to be in violation of:

16.47.1.8 (L)(1)(i) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule.

For this rule violation, the Board of Stewards assessed **Richard Lull** a penalty of a fine in the amount of Two hundred dollars (\$200.00). This fine is to be paid on or before **June 21, 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.

This ruling is written in accordance with:

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. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

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 SunRay 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-80
Track SunRay Park
Ruling Date: 5/21/2018

Licensee: FRENCH, DON LEE
License Type: 2017 3 Year Jockey Applicant Id: 21097
License Number: 286350

Ruling # 2018-SRP-80

Action Type: Initial Ruling

Ruling:

Jockey Don Lee French having been duly notified, appeared, and had his hearing held before the Board of Stewards on **May 21, 2018**, concerning a fight in the jockey room after the results of the jockey objection made during the 1st race on May 20, 2018.

Licensee is found to be in violation of:

16.47.1.8 (L)(1)(i) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule.

For this rule violation, the Board of Stewards assessed **Don French** a penalty of a fine in the amount of Two hundred dollars (\$200.00). This fine is to be paid on or before **June 21, 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.

This ruling is written in accordance with:

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. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

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 SunRay 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-81
Track SunRay Park
Ruling Date: 5/21/2018

Licensee: Lull, Richard Edward
License Type: 2017 1 Year Jockey Applicant Id: 159857
License Number: 285743

Ruling # 2018-SRP-81
Action Type: Initial Ruling
Ruling:

Jockey Richard Lull having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **May 21, 2018**, concerning leaving the jockeys' room in uniform without proper supervision.

Licensee is found to be in violation of:

15.2.5.13 RUNNING OF THE RACE:

C. Jockey requirements:

(7) While in the jockeys' quarters, jockeys shall have no contact or communication with any person outside the jockeys' quarters other than commission personnel and officials, an owner or trainer for whom the jockey is riding or a representative of the regular news media, except with the permission of the stewards. Any communication permitted by the stewards may be conducted only in the presence of the clerk of scales or other person designated by the stewards (8) Jockeys shall be weighed out for their respective mounts

(13) Once jockeys have fulfilled their riding engagements for the day and have left the jockeys' quarters, they shall not be re-admitted to the jockeys' quarters until after the entire racing program for that day has been completed, except with permission of the stewards.

For this rule violation, the Board of Stewards assessed **Richard Lull** a penalty of a fine in the amount of Two hundred dollars (\$200.00). This fine is to be paid on or before **June 21, 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.

This ruling is written in accordance with:

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. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

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 SunRay 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-82
Track SunRay Park
Ruling Date: 5/25/2018

Licensee: LOZANO, FLAVIO
License Type: 2017 3 Year Jockey Applicant Id: 33238
License Number: 286319

Ruling # 2018-SRP-82

Action Type: Initial Ruling

Ruling:

Jockey **Flavio Lozano** having waived his right to a ten day notice appeared before the board of Stewards on **May 21, 2018** concerning a security citation for a parking violation is found in violation of Commission rules.

Licensee is found to be in violation of:

16.47.1.8 (L)(1)(i) – CONDUCT 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 **Flavio Lozano** a penalty in the amount of **twenty five dollars (\$25.00)**. This fine is to be paid on or before **June 25, 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.

This ruling is written in accordance with:

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. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

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 SunRay 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-83
Track SunRay Park
Ruling Date: 5/26/2018

Licensee: MEGARIZ, JR MICHAEL

License Type: 2017 3 Year Trainer Applicant Id: 20622
License Number: 285565

Ruling # 2018-SRP-83

Action Type: Initial Ruling

Ruling:

Trainer: Michael Megariz Jr., having been duly notified and appeared to waive his right to a hearing before the Board of Stewards on May 26, 2018, regarding a lab report from UC Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse "Whilowah" (Test Sample #: **NM 30526**), who finished 1st in the 10th race on April 21, 2018 at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **Michael Megariz Jr.** and declined.

Francisco Munoz-Zapien, owner of record for horse "Whilowah", was duly notified.

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 Michael Megariz Jr 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 30 day suspension** of all NMRC licenses starting **June 4, 2018, through July 3, 2018, inclusive.**
2. **(\$750.00) Seven Hundred and Fifty dollar fine to paid on or before June 26, 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 "**Whilowah**" is placed on the Stewards list for a period of 60 days (beginning **May 2, 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, **Michael Megariz Jr.** 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 **Michael Megariz Jr.** 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)(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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-84
Track SunRay Park
Ruling Date: 5/27/2018

Licensee: RUIZ, JOSE DANIEL
License Type: 2015 3 Year Jockey Applicant Id: 32886
License Number: 279612

Ruling # 2018-SRP-84

Action Type: Initial Ruling

Ruling:

Jockey Jose Daniel Ruiz, having failed to appear or send a jockey guild's representative regarding the **3rd race on May 25, 2018, at SunRay Park Racetrack**, is found in violation of Commission rules.

Licensee is found in violation of:

15.2.1.9(B)(4)(d)NMAC: Which states in pertinent part that "Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the board of stewards.

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 **Jose Daniel Ruiz** a penalty of **Fifty dollars (\$50.00)**. The fine is to be paid on or before **June 26, 2018** once with **15.2.3.8(B)(3)(I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY
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
15.2.3.8 B (1) (a) Stewards General Authority
15.2.3.8 B (1) (c) 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
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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-85
Track SunRay Park
Ruling Date: 5/27/2018

Licensee: FELIX, MARTIN
License Type: 2017 3 Year Jockey Applicant Id: 86561
License Number: 287996

Ruling # 2018-SRP-85

Action Type: Initial Ruling

Ruling:

Jockey **Martin Felix**, having been summoned and having appeared before the Board of Stewards on **May 27, 2018** for failure to make sufficient effort to maintain his lane while aboard "**Ec On Ice**" in the **3rd** race on **May 26, 2018** at SunRay Park Racetrack.

Licensee is found to be in violation of:

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.

The Board of Stewards hereby assess, **Martin Felix**, a fine in the amount of **two hundred dollars, (\$200.00)**. The fine is to be paid on or before **June 26, 2018**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

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 SunRay 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-86
Track SunRay Park
Ruling Date: 5/27/2018

Licensee: BOBROFF, JACQUELYN A
License Type: 2015 3 Year Jockey Applicant Id: 30189
License Number: 277956

Ruling # 2018-SRP-86

Action Type: Initial Ruling

Ruling:

Jockey, **Jacquelyn Bobroff**, having been summoned and having Mike Ybarra appear and represent her before Board of Stewards **May 27, 2018**, for careless riding during the running of the **8th race on May 26, 2018**, while aboard "**Quick N Quiet**". (Going into the first turn Jacquelyn Bobroff's horse lugged into the path of the "#6 Teton" causing tight quarters and the #6 had to check)

censee 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 **Jacquelyn Bobroff** a suspension of 7 calendar days beginning (**June 4th and ending June 11th 2018**). The terms of this suspension shall not prohibit Jacquelyn Bobroff from participating in designated race days.

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."

15.2.5.13(E)(3)(d) 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)(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 SunRay 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-87
Track SunRay Park
Ruling Date: 5/27/2018

Licensee: Munoz-Zapien, Francisco J.
License Type: 2017 3 Year Owner Applicant Id: 159843
License Number: 285682

Ruling # 2018-SRP-87

Action Type: Initial Ruling

Ruling:

Owner: Francisco Munoz-Zapien, having been duly notified and having failed to appear, and had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) Non-Appearance, Board of Stewards on May 26, 2018, regarding a lab report from UC Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse, "Whilowah", (Test Sample #: NM 30526), who finished 1st in the 10th race on April 21, 2018 at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **Francisco Munoz-Zapien** and declined.

Michael Megariz Jr, trainer of record for horse "Whilowah", was duly notified and also waived his right to a hearing.

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 **Francisco Munoz-Zapien's 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. 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 "Whilowah" is placed on the Stewards list for a period of 60 days (beginning **May 2, 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 "Whilowah" is hereby disqualified from First place and ordered unplaced from the 10th race on April 21, 2018 at SunRay Park Racetrack for all but pari-mutuel wagering. The purse redistribution is as follows.

- 1) Tellers Eagle
- 2) El Picoso Grande
- 3) El Tur Co
- 4) Professor X
- 5) The Alabama Cartel
- 6) Paula Cruz
- 7) Just Gimme a Reason
- 8) Ritzy Chick
- 9) My Dispute

Unplaced "Whilowah"

This ruling is written in accordance with

15.2.3.8(B)(3)(k): Redistribution of Purses and Prizes Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

15.2.5.13(E)(4)(d) : Stewards General Authority Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

15.2.1.9(B)(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."