



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-ZIA-121
Track Zia Park
Ruling Date: 10/30/2017

Licensee: MARTINEZ, EDGAR H
License Type: 2015 3 Year Owner Applicant Id: 32436
License Number: 279364

Ruling # 2017-ZIA-121

Action Type: Initial Ruling

Ruling:

Owners Edgar Martinez and Jose G. Martinez having been duly notified failing to appear, and had their hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board of Stewards on October 30, 2017, regarding an affidavit from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse "Pop Your Cork" (Test Sample #: NM27626), who finished 1st place in the 2nd race on September 25, 2017, at Zia Park Racetrack in Hobbs, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by their trainer Jesus Cuanda.

Jesus Cuanda, the trainer of record for horse "Pop Your Cork", was duly notified and appeared for this hearing. This is Jesus Cuanda's FIRST Class 3B medication violation in a lifetime.

For Owners Edgar Martinez and Jose G. Martinez's FIRST Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e) Stewards List, 15.2.6.9(C)(7)(c) Positive Test Report, 15.2.6.9(C)(8) Positive Test List, 15.2.6.9(C)(9)(a-d) List Removal Requirements, the horse "Pop Your Cork" is placed on the Stewards list for a period of 60 days (beginning October 4, 2017). 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 "Pop Your Cork" is hereby disqualified from FIRST PLACE and ordered unplaced from the 2nd race on September 25, 2017, at Zia Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Azoom Policy
2. R O With Good Reason
3. Jess Pollitical
4. Skipper Reguard
5. DM Little B

Unplaced "Pop Your Cork"

Licensee is found in violation of 15.2.6.9(C)(1-2-3) Prima Facie Evidence /15.2.6.9(C)(3) Clenbuterol 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 15.2.6.9. B(2) Penalty recommendations This ruling is written in accordance with 15.2.3.8(B)(3)(k) NMAC/Purse Redistribution 15.2.5.13(E)(4)(d) NMAC: Stewards Authority 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-ZIA-122
Track Zia Park
Ruling Date: 10/30/2017

Licensee: MARTINEZ, JOSE G
License Type: 2016 3 Year Owner Applicant Id: 7866
License Number: 283685

Ruling # 2017-ZIA-122

Action Type: Initial Ruling

Ruling:

Owners Edgar Martinez and Jose G. Martinez having been duly notified failing to appear, and had their hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board of Stewards on October 30, 2017, regarding an affidavit from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse "Pop Your Cork" (Test Sample #: NM27626), who finished 1st place in the 2nd race on September 25, 2017, at Zia Park Racetrack in Hobbs, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by their trainer Jesus Cuanda.

Jesus Cuanda, the trainer of record for horse "Pop Your Cork", was duly notified and appeared for this hearing. This is Jesus Cuanda's FIRST Class 3B medication violation in a lifetime.

For Owners Edgar Martinez and Jose G. Martinez's FIRST Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e) Stewards List, 15.2.6.9(C)(7)(c) Positive Test Report, 15.2.6.9(C)(8) Positive Test List, 15.2.6.9(C)(9)(a-d) List Removal Requirements, the horse "Pop Your Cork" is placed on the Stewards list for a period of 60 days (beginning October 4, 2017). 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 "Pop Your Cork" is hereby disqualified from FIRST PLACE and ordered unplaced from the 2nd race on September 25, 2017, at Zia Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Azoom Policy
2. R O With Good Reason
3. Jess Pollitical
4. Skipper Reguard
5. DM Little B

Unplaced "Pop Your Cork"

Licensee is found in violation of 15.2.6.9(C)(1-2-3) Prima Facie Evidence /15.2.6.9(C)(3) Clenbuterol 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 15.2.6.9. B(2) Penalty recommendations This ruling is written in accordance with 15.2.3.8(B)(3)(k) NMAC/Purse Redistribution 15.2.5.13(E)(4)(d) NMAC: Stewards Authority 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



New Mexico Racing Commission
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Ruling #: 2017-ZIA-123
Track: Zia Park
Ruling Date: 10/30/2017

Licensee: SIGALA, ALFREDO S.

License Type: 2015 3 Year Jockey Applicant Id: 158216
License Number: 279889

Ruling # 2017-ZIA-123

Action Type: Initial Ruling

Ruling:

Jockey Alfredo Sigala, having been summoned and having appeared before the Board of Stewards on October 30, 2017, for failure to make sufficient effort to maintain his lane while aboard "CARSON CITY GIRL", in the 5th race on October 29, 2017, at Zia Park Racetrack.

The Board of Stewards hereby assesses, Alfredo Sigala, a fine in the amount of two hundred dollars, (\$200.00). The fine is to be paid on or before November 30, 2017, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay the fine within the time prescribed may result in immediate suspension.

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.

This ruling is written in accordance with:

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

By Order of The Zia 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 #: 2017-ZIA-124
Track: Zia Park
Ruling Date: 10/30/2017

Licensee: GONZALEZ, JUAN C

License Type: Applicant Id: 31495
License Number:

Ruling # 2017-ZIA-124

Action Type: Initial Ruling

Ruling:

Trainer **Juan Carlos Gonzalez**, having been duly notified failing 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 **October 30, 2017**, for failing to bring two water buckets to the test barn **on September 24, 2017 at Zia Park Racetrack**.

The Board of Stewards hereby assesses **Juan Carlos Gonzalez** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **November 30, 2017**, 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.

Licensee is found to be in violation of:

15.2.2.8 (O)(2) Test Barn The test barn must be equipped with a walk ring that is large enough to accommodate 10 horses; at least three enclosed stalls that permit observation of the collection process and provide for the protection of collection personnel; facilities and equipment for the collection, identification and storage of samples; a wash rack that is large enough to accommodate three horses at the same time; hot and cold running water; **clean water buckets supplied by the trainer for each horse.**

This ruling is written in accordance with:

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 Zia 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 #: 2017-ZIA-125
Track: Zia Park
Ruling Date: 10/30/2017

Licensee: CUANDA, JESUS

License Type: 2015 3 Year Trainer Applicant Id: 157988
License Number: 279206

Ruling # 2017-ZIA-125

Action Type: Initial Ruling

Ruling:

Trainer Jesus Cuanda having been duly notified and having appeared before the Board of Stewards on October 30, 2017, regarding an affidavit from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse "Pop Your Cork" (Test Sample #: NM27626), who finished 1st place in the 2nd race on September 25, 2017, at Zia Park Racetrack in Hobbs, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Jesus Cuanda.

Edgar Martinez and Jose G. Martinez, the owners of record for horse "Pop Your Cork", were duly notified and failed to appear for this hearing. This is their FIRST Class 3B medication violation in a lifetime.

For Trainer Jesus Cuanda's First Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. A 30 day suspension of all NMRC licenses starting October 30, 2017, through November 29, 2017, inclusive.
2. A (\$750) seven hundred and fifty dollar fine to paid on or before November 30, 2017, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.

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

Licensee is found in violation of 15.2.6.9(C)(1-2-3) Prima Facie Evidence /15.2.6.9(C)(3) Clenbuterol 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 15.2.6.9. B(2) Penalty recommendations This ruling is written in accordance with 15.2.6.11(A) NMAC Trainer Responsibility/ 16.47.1.10(B)(1) NMAC Absolute Insurer 15.2.3.8(B)(3)(k) NMAC/ Purse Redistribution 15.2.5.13(E)(4)(d) NMAC: Stewards Authority 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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-ZIA-126
Track: Zia Park
Ruling Date: 10/31/2017

Licensee: GOMEZ, ALONZO VALERIANO

License Type: 2017 3 Year Owner Applicant Id: 160255
License Number: 287245

Ruling # 2017-ZIA-126

Action Type: Initial Ruling

Ruling:

Owner, Alonzo V. Gomez, having been duly notified and having appeared before the Board of Stewards **on October 31, 2017**, for failing to disclose **his** arrest/criminal history on her license application **dated August 26, 2017**.

After considering the mitigating circumstances, the Board of Stewards hereby issue a warning letter to **Alonzo V. Gomez**. **Alonzo V. Gomez** was allowed to submit an amended application and advised to disclose **his** full criminal/arrest record on any future licensing applications.

Licensee is found to be in violation of:

16.47.1.8 (L)(1)(d) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE. Application requirements

This ruling is written in accordance with:

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. 15.2.1.8(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 Zia 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.