



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-91  
Track Downs at Albuquerque  
Ruling Date: 8/17/2016

Licensee: ASCENCIO, JR ARNULFO  
License Type: 2015 3 Year Owner      Applicant Id: 23046  
Date of Birth: 04/28/1981      License Number: 278585

Ruling # 2016-DAA-91

Action Type: Initial Ruling

Ruling:

Owner/Trainer **Arnulfo Ascencio, Jr.** having failed to pay the fine assessed in Ruling#:2016-RUI-86 issued on July 15, 2016 at Ruidoso Downs racetrack is found to be in violation of Commission rules.

**Mr. Ascencio** failed to pay his fine by August 15, 2016, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

Steward

Steward

Steward



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-92  
Track Downs at Albuquerque  
Ruling Date: 8/17/2016

Licensee: FRANCO, ALBERT SERRANO  
License Type: 2015 3 Year Trainer Applicant Id: 32103  
Date of Birth: 07/12/1977 License Number: 280123

Ruling # 2016-DAA-92

Action Type: Initial Ruling

Ruling:

Trainer **Albert Serrano Franco** having failed to pay the fine assessed in Ruling#:2016-RUI-82 issued on July 15, 2016 at Ruidoso Downs racetrack is found to be in violation of Commission rules.  
**Mr. Franco** failed to pay his fine by August 15, 2016, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

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New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-93  
Track Downs at Albuquerque  
Ruling Date: 8/17/2016

Licensee: GARCIA-LUNA, FELIPE D  
License Type: 2015 3 Year Jockey Applicant Id: 30961  
Date of Birth: 12/23/1990 License Number: 278824

Ruling # 2016-DAA-93  
Action Type: Initial Ruling  
Ruling:

Jockey **Felipe D. Garcia-Luna** having failed to pay the fine assessed in Ruling#:2016-RUI-102 issued on July 16, 2016 at Ruidoso Downs racetrack is found to be in violation of Commission rules.  
**Mr. Garcia-Luna** failed to pay his fine by August 16, 2016, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(I) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

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New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-94  
Track Downs at Albuquerque  
Ruling Date: 7/31/2016

Licensee: MCKENNA, TOM ROSS

License Type: Owner                      Applicant Id: 12492  
Date of Birth: 10/10/1934              License Number: 81240

Ruling # 2016-DAA-94

Action Type: Initial Ruling

Ruling:

Trainer Thomas McKenna, having appeared, by telephone, before the Board of Stewards on July 30, 2015 is found to be in violation of Commission rules.

**Narrative:** Thomas McKenna used abusive profane language toward a racing official  
For this rule violation, the Board of Stewards assessed the following penalty, a fine in the amount of five hundred dollars, (\$500.00). The fine is to be paid by August 31, 2015, in accordance with

15.2.3.8 NMAC.

B. Stewards.

(3) Disciplinary action.

(l) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

Failure to pay the fine within the time prescribed may result in immediate suspension.

**This ruling is in accordance with:**

NMAC: 16.47.1.8 GENERAL PROVISIONS

L. GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF LICENSE::

(h) 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;

15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS

B. Stewards.

(1) General authority. The stewards for each meeting shall be responsible to the commission for the conduct of the race meeting in accordance with the laws of this state and these rules.

(d) 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(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

*Arilda Salinas*      *Ron Walker*

*[Signature]*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-95  
Track Downs at Albuquerque  
Ruling Date: 8/17/2016

Licensee: ALDAVAZ, JR JAIME  
License Type: 2014 3 Year Trainer Applicant Id: 14158  
Date of Birth: 11/19/1991 License Number: 164046

Ruling # 2016-DAA-95

Action Type: Initial Ruling

Ruling:

Licensee Jaime Aldavaz Sr. was called when the Stewards were unable to contact Jamie Aldavaz Jr. telephonically on August 17, 2016 for failure to declare equipment "Flipping halter On" at time of entry on the horse "Mega Source" entered in the 10TH race on August 14, 2016 at The Downs at Albuquerque.. Licensee is found to be in violation of Commission rules.

For this rule violation, the Board of Stewards assessed a penalty in the amount of Fifty dollars (\$50.00). The fine is to paid on or before September 17, 2016 in accordance with

NMAC 15.2.3.8

B. Stewards.

(3) Disciplinary action.

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.8 (B)(9) NMAC: Which states in pertinent part that " Any approved change of equipment must be declared at time of entry." Any changes after that time must be approved by the Stewards.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

**RUI-2016-96**

**ISSUED**

**IN**

**ERROR**



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-97  
Track Downs at Albuquerque  
Ruling Date: 8/17/2016

Licensee: ROMAN, SERGIO P  
License Type: 2015 3 Year Trainer Applicant Id: 19056  
Date of Birth: 09/25/1969 License Number: 278978

Ruling # 2016-DAA-97

Action Type: Initial Ruling

Ruling:

Trainer/Owner, Sergio Roman, having been duly notified, and failing to appear before the Board of Stewards on 8/17/16, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NM19788, after it was collected from the horse "FM Miss James" which finished 2nd in the 7th race, June 10, 2016 at SunRay Park.

(The original lab report indicated a finding of Clenbuterol in urine at 674pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and accepted by, Sergio Roman. The split was confirmed positive by Industrial Laboratories with a finding of 654pg/ml +/- 15 pg/ml in urine). With this drug, no level of detection is allowed to be found in a post-race sample.

Sergio Roman is found to be in violation of:

**15.2.6.9(D)(1) NMAC:** 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. Prohibited substances include: drugs or medications for which no acceptable levels have been established; therapeutic medications in excess of established acceptable levels; substances present in the horse in excess of levels at which such substances could occur naturally; substances foreign to a horse at levels that cause interference with testing procedures.

**15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC:** 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."

For this violation, the Board of Stewards assess Sergio Roman a penalty as follows:

- (1) A suspension of any/all NMSRC issued licenses for a period of 90 calendar days (September 8, 2016 through December 7, 2016, Inclusive);
- (2) A fine in the amount of two thousand dollars (\$2,000.00.);
- (3) Loss of purse of the 7th race, June 10, 2016, at SunRay Park.

New Order of Finish:

- |                      |   |
|----------------------|---|
| 1st Ms Josie Wales   | 5th Konas Streaker  |
| 2nd Famous Crawdaddy | 6th Brooks Bad Boy  |
| 3rd First Moon Fire  | 7th Sukis Super Chic  |
| 4th Rb R Amego       | Unplaced: Fm Miss James Scratched: Bet the Sixes and Jess B Content |
- (4) Horse "Fm Miss James must pass a commission approved examination before entry.

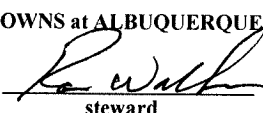
This is a second offense positive test violation in the past 365 day period, and is issued in accordance with 15.2.6.9 (C)(2) NMAC. The fine is to be paid on or before any reinstatement date, in accordance with 15.2.3.8 (B)(3)(I) NMAC.

During said time of applicable suspension, Sergio P. Roman 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) NMAC, and 15.2.3.8 (B)(3)(f) NMAC.

Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Sergio P. Roman are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

BY ORDER OF THE DOWNS at ALBUQUERQUE BOARD OF STEWARDS

  
steward

  
steward

  
steward

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 #: 2016-DAA-98  
Track Downs at Albuquerque  
Ruling Date: 8/17/2016

Licensee: FRANCO, ALBERT SERRANO

License Type: 2016 1 Year Duplicate Applicant Id: 32103

Date of Birth: 07/12/1977 License Number: 281237

Ruling # 2016-DAA-98

Action Type: Initial Ruling

Ruling:

Trainer **Albert Serrano Franco** having appeared before the Board of Stewards on Date: 8/17/16 and having fulfilled the conditions required in Ruling #2016-DAA-92, is hereby reinstated, and restored, as of this Date: 8/17/16.

NARRATIVE: **Mr Franco** having paid his fine on 8/15/16, and verified by Ruidoso downs licensing clerk is here by reinstated to good standing by the NMRC.

(This ruling to supersede Ruling# 2016-DAA-92 issued on 8/17/16.)

By Order of The Downs at Albuquerque Stewards

Steward

Steward

Steward





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-99  
Track Downs at Albuquerque  
Ruling Date: 8/19/2016

Licensee: GARCIA-MARQUEZ, ANSELMO  
License Type: 2016 3 Year Trainer Applicant Id: 86392  
Date of Birth: 06/27/1976 License Number: 281548

Ruling # 2016-DAA-99

Action Type: Initial Ruling

Ruling:

Licensee Anselmo Garcia Marquez having appeared before the Board of Stewards on August 13, 2016 for employing a person in a capacity for which he/she was not licensed.

narrative: An unlicensed person was in the paddock who had in his possession the owner license belonging to Anselmo Marquez.

Licensee was found to be in violation of Commission rules. Thus, for this rule violation, the Board of Stewards assessed licensee a penalty in the amount of two hundred Fifty dollars (\$250.00). The fine is to be paid on or before September 19, 2016 in accordance with

NMAC 15.2.3.8

B. Stewards.

(3) Disciplinary action.

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

Failure to pay this fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of the following rules:

16.47.1.10 (C) (4) providing a list to the chief of security of the trainer's employees on association grounds and any other area under the jurisdiction of the commission; the list shall include each employee's name, occupation, social security number, and occupational license number; the chief of security shall be notified by the trainer, in writing, within 24 hours of any change;

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-100  
Track Downs at Albuquerque  
Ruling Date: 8/19/2016

Licensee: CALDERON, RUBEN RAUL

License Type: 2015 3 Year Jockey      Applicant Id: 33278  
Date of Birth: 07/20/1985      License Number: 277198

Ruling # 2016-DAA-100

Action Type: Initial Ruling

Ruling:

Jockey **Ruben Raul Calderon** having appeared before the Board of Stewards on this date August 19, 2016 for careless riding, while aboard Tellers Fly in the 9th race August 17, 2016, at The Downs at Albuquerque, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed a penalty in the amount of Two Hundred Fifty dollars (\$250.00). The fine is to be paid on or before September 18, 2016 in accordance with 15.2.3.8 **FLAT RACING OFFICIALS GENERAL PROVISION**

**B. Stewards.**

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

Licensee is found to be in violation of:

15.2.5.13(E)(3)(d) NMAC:

Which states in pertinent part that "In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse."

15.2.5.13(E)(3)(c) NMAC:

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)(2)(a) NMAC:

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."

15.2.1.9(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 Downs at Albuquerque Stewards

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New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-101  
Track Downs at Albuquerque  
Ruling Date: 8/19/2016

Licensee: VALENZUELA, GASTON FLORES  
License Type: 2016 3 Year Trainer Applicant Id: 30556  
Date of Birth: 12/07/1971 License Number: 281583

Ruling # 2016-DAA-101

Action Type: Initial Ruling

Ruling:

Licensee Gaston F. Valenzuela failed to appear by telephone before the Board of Stewards on August 19, 2015 concerning a security citation for his employee failing to comply with the test barn Escort. Narrative: Victor Valenzuela did not wait for the Escort to take the horse to the test barn.

For this rule violation, the Board of Stewards assessed a penalty in the amount of twenty five dollar (\$25.00). The fine is to be paid on or before September 29, 2015 in accordance with NMAC 15.2.3.8

B. Stewards.

(3) Disciplinary action.

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is in accordance with:

**15.2.6.10 TESTING:**

**A. REPORTING TO THE TEST BARN:**

(1) The official winning horse, or any other horses ordered by the commission or the stewards shall be taken to the test barn to have a blood sample or a urine sample or both taken at the direction of the official veterinarian.

(4) A track security guard shall monitor access to the test barn area during and immediately following each racing performance. All persons who wish to enter the test barn area must be a minimum of 18-years-old, be currently licensed by the commission, display their commission identification badge and have a legitimate reason for being in the test barn area.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states 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 #: 2016-DAA-102  
Track Downs at Albuquerque  
Ruling Date: 8/20/2016

Licensee: ALDAVAZ, SR JAIME G.

License Type: 2016 3 Year Trainer Applicant Id: 19631

Date of Birth: 05/01/1971 License Number: 281163

Ruling # 2016-DAA-102

Action Type: Initial Ruling

Ruling:

Owner/Trainer **Jaime G. Aldavaz Sr.** having failed to pay the fine assessed in Ruling#: **2016-DAA-16** issued on **July 3, 2016** at **The Downs at Albuquerque** racetrack is found to be in violation of Commission rules.

**Mr. Aldavaz Sr.** failed to pay his fine by **August 2, 2016**, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(I) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

*Arinda Salinas*

*Ben Wether*

*[Signature]*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-103  
Track Downs at Albuquerque  
Ruling Date: 8/20/2016

Licensee: GALLEGOS, RAMON DENNIS  
License Type: Trainer Applicant Id: 18143  
Date of Birth: 08/02/1967 License Number: 81881

Ruling # 2016-DAA-103

Action Type: Initial Ruling

Ruling:

**Trainer Ramon Gallegos, having appeared Telephonically before the Board of Stewards on August 20, 2016 for entering the horse "Andele Sunrise" and having no registration papers in the racing office which resulted in a program scratch in the 2ND on August 19, 2016 at the Downs at Albuquerque.**

**For this rule violation, the Board of Stewards assessed Ramon Gallegos a penalty in the amount of Two hundred dollars (\$200.00). The fine is to be paid on or before September 20, 2016 in accordance with NMAC 15.2.3.8**

B. Stewards.

(3) Disciplinary action.

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

Failure to pay the fine within the time prescribed may result in immediate suspension.

**Licensee is found to be in violation of:**

16.47.1.10(C)(7) NMAC:

Which states in pertinent part that "A Trainer is responsible for registering with the racing secretary each horse in his/her charge within 24 hours of the horse's arrival on association grounds."

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."

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 Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-104  
Track Downs at Albuquerque  
Ruling Date: 8/20/2016

Licensee: CHAVEZ, HECTOR N.

License Type: Owner

Applicant Id: 33662

Date of Birth: 01/01/1972

License Number: 152973

Ruling # 2016-DAA-104

Action Type: Initial Ruling

Ruling:

Owner/Trainer Hector N. Chavez having paid a fine August 20, 2016 and having fulfilled the conditions required in Ruling #2016-DAA-73, is hereby reinstated, and restored to good standing, as of this August 20, 2016.

(This ruling to supersede Ruling# 2016-DAA-73 issued on August5, 2016.)

By Order of The Downs at Albuquerque Stewards

Steward

Steward

Steward



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-105  
Track Downs at Albuquerque  
Ruling Date: 8/20/2016

Licensee: PICKARD,DVM TONY LYNN  
License Type: 2016 3 Year Official V Applicant Id: 5200  
Date of Birth: 06/15/1957 License Number: 282857

Ruling # 2016-DAA-105

Action Type: Initial Ruling

Ruling:

Tony L. Pickard DVM, having been duly notified for a hearing and waving his rights to a hearing appeared before the Board of Stewards on this date, August 20, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for the confirmed administration of the Class IV drug "Phenylbutazone"(Bute) which was found in samples NM20030, NM20038, and NM20176, to be above the allowable limits of 2 .0 mg/ml.

The administration of this drug was accidentally given under the supervision of Tony L. Pickard and he assumes full responsibility.

Tony L. Pickard DVM is found to be in violation of:

15.2.6.9(D)(1-2-3) NMAC: 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".

15.2.6.8 (E) NMAC: VETERINARY COMPLIANCE: The official veterinarian, racing veterinarian, and each practicing veterinarian shall comply with all federal and state statutes and applicable rules regulating veterinary practices as may be promulgated by the New Mexico board of veterinary medicine and the New Mexico board of pharmacy.

For this violation, the Board of Stewards assessed Tony L. Pickard DVM a penalty as follows;

1. A fine in the amount of Three Thousand Dollars (\$3000.00);
2. Educate and discipline employees as required.

15.2.3.8 (B)(3) I NMAC: All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered. To be paid by 9/20/2016.

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.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

*Linda Salinas*

*Ron Walker*

*[Signature]*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-106  
Track Downs at Albuquerque  
Ruling Date: 8/20/2016

Licensee: JUAREZ, RIGO J.

License Type: 2016 3 Year Trainer      Applicant Id: 9965  
Date of Birth: 01/18/1984      License Number: 280520

Ruling # 2016-DAA-106

Action Type: Initial Ruling

Ruling:  
issued in error

By Order of The Downs at Albuquerque Stewards

Steward

Steward

Steward





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-107  
Track Downs at Albuquerque  
Ruling Date: 8/20/2016

Licensee: MEDELLIN, ALEJANDRO HERRERA  
License Type: 2016 3 Year Jockey Applicant Id: 31173  
Date of Birth: 01/23/1978 License Number: 280673

Ruling # 2016-DAA-107  
Action Type: Initial Ruling  
Ruling:

Jockey **Alejandro Herrera Medellin** having failed to pay the fine assessed in Ruling#: **2016-DAA-11** issued on July 2, 2016 at **The Downs at Albuquerque** racetrack is found to be in violation of Commission rules.

**Mr. Medellin** failed to pay his fine by August 2, 2016, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(I) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-108  
Track Downs at Albuquerque  
Ruling Date: 8/21/2016

Licensee: CALDERON, RUBEN RAUL  
License Type: 2015 3 Year Jockey Applicant Id: 33278  
Date of Birth: 07/20/1985 License Number: 277198

Ruling # 2016-DAA-108

Action Type: Initial Ruling

Ruling:

Jockey **Ruben Raul Calderon** having appeared before the Board of Stewards on this date August 21, 2016 for careless riding, while aboard **Rcj Up and At Em** in the 7th race, August 20, 2016, at **The Downs at Albuquerque**, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed a suspension of Three (3) racing days August 31, September 2nd and 3rd, 2016

Licensee is found to be in violation of:

15.2.5.13(E)(3)(d) NMAC:

Which states in pertinent part that "In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse."

15.2.5.13(E)(3)(c) NMAC:

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)(2)(a) NMAC:

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."

15.2.1.9(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 Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-109  
Track Downs at Albuquerque  
Ruling Date: 8/24/2016

Licensee: ECHOLS, CLAYTON I

License Type: 2014 3 Year Owner Applicant Id: 18642

Date of Birth: 12/08/1971 License Number: 153147

Ruling # 2016-DAA-109

Action Type: Initial Ruling

Ruling:

Owner Clayton I Echols having appeared before the Board of Stewards on August 20, 2016 for a disciplinary hearing for conduct concerning Clayton Echols use of abusive language toward a racing official on July 31, 2016, was found in violation of Commission rules.

This ruling is in accordance with:

NMAC: 16.47.1.8 GENERAL PROVISIONS

L. GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF LICENSE::

(h) 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;

NMAC 15.2.3.8.(B) (1) (d)

B. Stewards.

(1) General authority. The stewards for each meeting shall be responsible to the commission for the conduct of the race meeting in accordance with the laws of this state and these rules.

(d) 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

For this rule violation, the Board of Stewards assessed Clayton Echols a penalty in the amount of Five hundred dollars (\$500.00). The fine is to be paid on or before September 24, 2016 in accordance with

NMAC 15.2.3.8

B. Stewards.

(3) Disciplinary action.

(l) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states 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."

*Linda Salinas Ron Walker*

*[Signature]*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-110  
Track Downs at Albuquerque  
Ruling Date: 8/24/2016

Licensee: KERN, DAVID WALTER

License Type: 2016 3 Year Owner Applicant Id: 158562

Date of Birth: 07/26/1955 License Number: 281332

Ruling # 2016-DAA-110

Action Type: Initial Ruling

Ruling:

Owner/Trainer **David Walter Kern, DOB 07/26/1955** having failed to pay the fine assessed in Ruling#:2016-DAA-43 issued on July 20, 2016 at The Downs at Albuquerque racetrack is found to be in violation of Commission rules.

**Mr. Kern** failed to pay his fine by August 20, 2016, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(I) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-111  
Track Downs at Albuquerque  
Ruling Date: 8/24/2016

Licensee: GARCIA, NOE

License Type: 2014 3 Year Jockey      Applicant Id: 3880  
Date of Birth: 01/21/1975      License Number: 102002

Ruling # 2016-DAA-111

Action Type: Initial Ruling

Ruling:

**Jockey Noe Garcia was called by the board the Board of Stewards twice and failed to reply on August 21, 2016, and 24th for failure to honor or be excused from his riding engagement in the 10TH race August 20, 2016 at The Downs at Albuquerque for horse Nmoceanfrontproperty**

**Noe Garcia failed to notify stewards he would not be present to ride.**

**For this rule violation, the Board of Stewards assessed a penalty in the amount of Two hundred dollars (\$200.00). The fine is to be paid on or before September 24, 2016 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.**

NMAC 15.2.3.8 B. Stewards. (3) Disciplinary action.

(I) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

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(C)(3) NMAC:

Which states in pertinent part that "Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards."

15.2.5.13(C)(1) NMAC:

Which states in pertinent part that "Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards."

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 Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-112  
Track Downs at Albuquerque  
Ruling Date: 8/24/2016

Licensee: MEDINA, ANTHONY CHAYANNE  
License Type: 2015 3 Year Jockey      Applicant Id: 30292  
Date of Birth: 10/01/1989      License Number: 278514

Ruling # 2016-DAA-112

Action Type: Initial Ruling

Ruling:

Jockey **Anthony Chayanne Medina** DOB **10/01/1989** having failed to pay the fine assessed in Ruling#:2016-RUI-109 issued on July 22, 2016 at Ruidoso Downs racetrack is found to be in violation of Commission rules.

**Mr. Medina** failed to pay his fine by August 23, 2016, the time prescribed in accordance with  
**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-113  
Track Downs at Albuquerque  
Ruling Date: 8/24/2016

Licensee: PARGA-LEOS, JAIME

License Type: Jockey Applicant Id: 30593  
Date of Birth: 01/01/1981 License Number: 80735

Ruling # 2016-DAA-113

Action Type: Initial Ruling

Ruling:

Jockey **Jaime Parga-Leos** DOB **01/01/1981** having failed to pay the fines assessed in Rulings#:2016-DAA-26, 2016-DAA-27 and 2016-DAA-28 issued July 9, 2016 at The Downs at Albuquerque racetrack is found to be in violation of Commission rules.

**Mr. Parga-Leos** failed to pay his fine by August 9, 2016, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(I) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules

For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-114  
Track Downs at Albuquerque  
Ruling Date: 8/25/2016

Licensee: ORTIZ, JOSE ENRIQUE

License Type: 2016 3 Year Jockey      Applicant Id: 35364  
Date of Birth: 03/02/1996      License Number: 281100

Ruling # 2016-DAA-114

Action Type: Initial Ruling

Ruling:

Jockey **Jose Enrique Ortiz** DOB **03/02/1996** having failed to pay the fines assessed in Rulings#:2016-RUI-87 at Ruidoso Downs racetrack is found to be in violation of Commission rules.

**Mr. Ortiz** failed to pay his fine by, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(I) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules

**For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."**

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-115  
Track Downs at Albuquerque  
Ruling Date: 8/25/2016

Licensee: RAMIREZ,SR JOSE FRANCISCO  
License Type: 2016 3 Year Trainer Applicant Id: 11970  
Date of Birth: 09/01/1950 License Number: 280810

Ruling # 2016-DAA-115

Action Type: Initial Ruling

Ruling:

Trainer **Jose Francisco Ramirez Sr. DOB 09/01/1950** having failed to pay the fines assessed in Rulings#:2016-DAA-34 at **The Downs at Albuquerque** racetrack is found to be in violation of Commission rules.

**Mr. Ramirez Sr.** failed to pay his fine by, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules

**For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."**

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-116  
Track Downs at Albuquerque  
Ruling Date: 8/25/2016

Licensee: RODRIGUEZ-FLORES, VICTOR H  
License Type: 2016 3 Year Trainer Applicant Id: 32096  
Date of Birth: 10/29/1982 License Number: 282906

Ruling # 2016-DAA-116

Action Type: Initial Ruling

Ruling:

Trainer **Victor H Rodriguez-Flores** DOB **10/29/1982** having failed to pay the fines assessed in Rulings#: **2016-RUI-81** at **Ruidoso Downs** racetrack is found to be in violation of Commission rules. **Mr. Rodriguez-Flores** failed to pay his fine by, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules

**For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."**

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-117  
Track Downs at Albuquerque  
Ruling Date: 8/25/2016

Licensee: RUIZ, JUVENTINO MUNOZ  
License Type: 2014 3 Year Trainer Applicant Id: 24326  
Date of Birth: 03/28/1969 License Number: 174318

Ruling # 2016-DAA-117

Action Type: Initial Ruling

Ruling:

Trainer **Juventino Munoz Ruiz DOB 03/29/1969** having failed to pay the fines assessed in Rulings#: **2016-RUI-69** at **Ruidoso Downs** racetrack is found to be in violation of Commission rules.  
**Mr. Ruiz** failed to pay his fine by, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules

**For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."**

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-118  
Track Downs at Albuquerque  
Ruling Date: 8/25/2016

Licensee: STEPHENS, RONALD L

License Type: 2014 3 Year Trainer      Applicant Id: 21093  
Date of Birth: 10/09/1943      License Number: 206312

Ruling # 2016-DAA-118

Action Type: Initial Ruling

Ruling:

Trainer **Ronald L Stephens** DOB **10/09/1943** having failed to pay the fines assessed in Rulings#: **2016-DAA-25** at **The Downs at Albuquerque** racetrack is found to be in violation of Commission rules. **Mr. Stephens** failed to pay his fine by, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules

**For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."**

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-119  
Track Downs at Albuquerque  
Ruling Date: 8/26/2016

Licensee: HUNT, GLEN EDWARD

License Type: 2013 3 year Trainer Applicant Id: 15930

Date of Birth: 08/27/1944 License Number: 54348

Ruling # 2016-DAA-119

Action Type: Initial Ruling

Ruling:

**Trainer Glen E. Hunt having appeared before the Board of Stewards and signed a written waiver of formal hearing on August 26, 2016 for bringing his horse "Tylers Dixie chick" to the test barn after being claimed from the 6TH race, on August 26, 2016 and failed to maintain custody of the horse to observe the testing procedure and sign the test sample at the Downs at Albuquerque Race Track.**

**For this rule violation, the Board of Stewards assessed Glen Hunt a penalty in the amount of Two Hundred dollars (\$200.00). The fine is to be paid on or before September 26, 2016 in accordance with NMAC 15.2.3.8**

B. Stewards.

(3) Disciplinary action.

(l) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

Failure to pay the fine within the time prescribed may result in immediate suspension.

**Licensee is found to be in violation of the following rules:**

**15.2.4.8 CLAIMING RACES:**

**G. TRANSFER OF CLAIMED HORSES:**

(3) Transfer of possession of a claimed horse shall take place immediately after the race has been run unless otherwise directed by the stewards. If the horse is required to be taken to the testbarn for post-race testing, the original trainer or his/her representative shall maintain physical custody of the claimed horse and shall observe the testing procedure and sign the test sample tag. The successful claimant or his/her representative shall also accompany the horse to the testbarn.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-120  
Track Downs at Albuquerque  
Ruling Date: 8/26/2016

Licensee: STEPHENS, RONALD L

License Type: 2014 3 Year Trainer Applicant Id: 21093

Date of Birth: 10/09/1943 License Number: 206312

Ruling # 2016-DAA-120

Action Type: Initial Ruling

Ruling:

Trainer Ronald L Stephens DOB 10/09/1943 having paid his fines on August 26, 2016 and fulfilling the conditions required in Ruling #2016-DAA-25, 2016-RUI-111, is hereby reinstated, and restored to good standing, as of this August 26, 2016.

Mr. Stephens having paid the \$200.00 for ruling 2016-DAA-25 and \$200.00 for ruling 2016-RUI-111

(This ruling to supersede Ruling# 2016-DAA-118 issued on August-26-2016.)

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

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New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-121  
Track Downs at Albuquerque  
Ruling Date: 8/26/2016

Licensee: KERN, DAVID WALTER

License Type: 2016 3 Year Owner Applicant Id: 158562

Date of Birth: 07/26/1955 License Number: 281332

Ruling # 2016-DAA-121

Action Type: Initial Ruling

Ruling:

**Owner/Trainer David Walker Kern DOB 07/26/1955** having appeared before the Board of Stewards telephonically on August 26, 2016 and after further testimony and investigation The Board of Stewards find that **Mr. Kern** had indeed followed the proper scratch procedure.

We the Board of Stewards rescind the previous rulings 2016-DAA-43

(This ruling to supersede Ruling# 2016-DAA-110 issued on August24, 2016.)

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

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New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-122  
Track Downs at Albuquerque  
Ruling Date: 8/26/2016

Licensee: PARGA-LEOS, JAIME  
License Type: Jockey Applicant Id: 30593  
Date of Birth: 01/01/1981 License Number: 80735

Ruling # 2016-DAA-122

Action Type: Initial Ruling

Ruling:

Jockey Jaime Parga-Leos DOB having paid his fines on August 14, 2016 and having fulfilled the conditions required in Ruling #2016=DAA-2016,2016-DAA-27 and 2016-DAA-28, is hereby reinstated, and restored, as of this August 26, 2016.

Mr. Parga-Leos had paid his fine on August 14, 2016 but it was not recorded into the system

(This ruling to supersede Ruling# 2016-DAA-113 issued on August 25,2016.)

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

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New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-123  
Track Downs at Albuquerque  
Ruling Date: 8/26/2016

Licensee: RAMIREZ, SR JOSE FRANCISCO  
License Type: Applicant Id: 11970  
Date of Birth: 09/01/1950 License Number:

Ruling # 2016-DAA-123

Action Type: Initial Ruling

Ruling:

Trainer **Jose Francisco Ramirez Sr.** having paid his fine of \$250.00 on August 26, 2016 and having fulfilled the conditions required in Ruling #2016-DAA-36, is hereby reinstated, and restored, as of this August 26, 2016.

(This ruling to supersede Ruling# 2016-DAA-115 issued on August 25, 2016.)

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

Steward

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New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-124  
Track Downs at Albuquerque  
Ruling Date: 8/27/2016

Licensee: ORTIZ, JOSE ENRIQUE

License Type: 2016 3 Year Jockey      Applicant Id: 35364  
Date of Birth: 03/02/1996      License Number: 281100

Ruling # 2016-DAA-124

Action Type: Initial Ruling

Ruling:

Jockey Jose Enrique Ortiz DOB 03/02/1996 having paid his fine on August 27, 2016 and having fulfilled the conditions required in Ruling #2016-RUI-87, is hereby reinstated, and restored to good standing, as of this August 27, 2016.

(This ruling to supersede Ruling# 2016-DAA-114 issued on August 25,2016.)

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

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New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-125  
Track Downs at Albuquerque  
Ruling Date: 8/27/2016

Licensee: SANCHEZ, PATRICK LEROY  
License Type: Trainer Applicant Id: 30118  
Date of Birth: 03/19/1963 License Number: 152940

Ruling # 2016-DAA-125

Action Type: Initial Ruling

Ruling:

Licensee Patrick Sanchez having appeared before the Board of Stewards on this August 24, 2016 for having (Blinkers on) which were not designated at time of entry on the horse "Steel Battalion" entered in the 7TH race, on August 21, 2016 at The Downs at Albuquerque Race track. Licensee is found to be in violation of Commission rules.

15.2.5.8 (B)(9) NMAC: Which states in pertinent part that " Any approved change of equipment must be declared at time of entry."Any changes after that time must be approved by the Stewards.

Narrative: The Stewards had the blinkers taken off at the gate because they were not designated in the program. Mr. Sanchez showed the paddock judge a film on his phone of the Wrong horse to try and prove the horse wore blinkers before.

For this rule violation, the Board of Stewards assessed a penalty in the amount of One Hundred dollars (\$100.00). The fine is to paid on or before September 27, 2016 in accordance with NMAC 15.2.3.8

B. Stewards.

(3) Disciplinary action.

(l) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

Failure to pay the fine within the time prescribed may result in immediate suspension.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-126  
Track Downs at Albuquerque  
Ruling Date: 8/27/2016

Licensee: RUIZ, JUVENTINO MUNOZ  
License Type: 2014 3 Year Trainer Applicant Id: 24326  
Date of Birth: 03/28/1969 License Number: 174318

Ruling # 2016-DAA-126

Action Type: Initial Ruling

Ruling:

Trainer **Juventino Munoz Ruiz DOB 03/28/1969** having paid his fine on August 27, 2016 and having fulfilled the conditions required in Ruling #2016-RUI-69, is hereby reinstated, and restored to good standing, as of this August 27, 2016.

(This ruling to supersede Ruling # 2016-DAA-117 issued on August 25, 2016.)

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

Steward

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New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-127  
Track Downs at Albuquerque  
Ruling Date: 8/27/2016

Licensee: ORTIZ, JOSE ENRIQUE  
License Type: 2016 3 Year Jockey      Applicant Id: 35364  
Date of Birth: 03/02/1996      License Number: 281100

Ruling # 2016-DAA-127

Action Type: Initial Ruling

Ruling:

**Jockey Jose Enrique Ortiz was called by the board the Board of Stewards and failed to reply on August 27, 2016, for failure to honor or be excused from his riding engagement in the 10TH race August 24, 2016 at The Downs at Albuquerque for the horse Kiaras Rainbow**

**Jose Enrique Ortiz failed to notify Stewards he would not be present to ride.**

**For this rule violation, the Board of Stewards assessed a penalty in the amount of Two hundred dollars (\$200.00). The fine is to be paid on or before September 27, 2016 in accordance with NMAC 15.2.3.8 B. Stewards. (3) Disciplinary action.**

**(I) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.**

**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(C)(3) NMAC:

Which states in pertinent part that "Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards."

15.2.5.13(C)(1) NMAC:

Which states in pertinent part that "Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards."

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 Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-128  
Track Downs at Albuquerque  
Ruling Date: 8/27/2016

Licensee: RODRIGUEZ-FLORES, VICTOR H  
License Type: 2016 3 Year Trainer Applicant Id: 32096  
Date of Birth: 10/29/1982 License Number: 282906

Ruling # 2016-DAA-128

Action Type: Initial Ruling

Ruling:

Trainer **Victor H Rodriguez-Florez DOB 10/29/1982** having paid his fine on August 27, 2016 and having fulfilled the conditions required in Ruling #2016-RUI-69, is hereby reinstated, and restored to good standing, as of this August 27, 2016.

(This ruling to supersede Ruling # 2016-DAA-116 issued on August 25, 2016.)

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

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New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-DAA-129  
Track Downs at Albuquerque  
Ruling Date: 8/28/2016

Licensee: TELFORD, JAMES

License Type: 2016 1 Year Starter

Applicant Id: 13768

Date of Birth: 09/10/1955

License Number: 282005

Ruling # 2016-DAA-129

Action Type: Initial Ruling

Ruling:

**STARTER James Telford having appeared before the Board of Stewards waved the formal hearing on August 27, 2016 for failure to allow his Assistant Starter time to get the lead shank off the #8 horse Js Lucky Charm in the 3rd race on August 26, 2016 is found to be in violation of Commission rules.**

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS**

**I. Starter.**

(1) **General authority.** The starter shall: have complete jurisdiction over the starting gate, the starting of horses and the authority to give orders not in conflict with the rules as may be required to ensure all participants an equal opportunity to a fair start; appoint and supervise assistant starters who have demonstrated they are adequately trained to safely handle horses in the starting gate; in emergency situations, the starter may appoint qualified individuals to act as substitute assistant starters; assign the starting gate stall positions to assistant starters by lot and notify the assistant starters prior to post time for the first race of their respective stall positions which will remain that assistant starter's position throughout the day; there shall be no changes except with permission of the stewards; assess the ability of each person applying for a jockey's license in breaking from the starting gate and working a horse in the company of other horses, and shall make said assessment known to the stewards; load horses into the gate in any order deemed necessary to ensure a safe and fair start.

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS**

**B. Stewards.**

(1) **General authority.** The stewards for each meeting shall be responsible to the commission for the conduct of the race meeting in accordance with the laws of this state and these rules.

(d) **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.**

**For this rule violation, the Board of Stewards assessed James Telford a penalty in the amount of Two hundred Fifty dollars (\$250.00). The fine is to be paid on or before September 28, 2016 in accordance with**

**15.2.3.8 NMAC. B. Stewards. (3) Disciplinary action.**

(1) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered. Failure to pay the fine within the time prescribed may result in immediate suspension.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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."

15.2.1.9(b):

Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards