



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-DAA-12  
Track Downs at Albuquerque  
Ruling Date: 7/6/2018

Licensee: MONTOYA, ANTHONY F

License Type: 2017 3 Year Trainer      Applicant Id: 28421  
License Number: 285480

Ruling # 2018-DAA-12

Action Type: Initial Ruling

Ruling:

**Trainer: Anthony Montoya** having been duly notified and appeared July 6, 2018 to waive his right for a hearing before the Board of Stewards on **July 13, 2018**, for failure to declare equipment (**Flipping Halter ON**) at time of entry for "**Ur My Baby Doll**", entered in **the 6th race on June 29, 2018 at The Downs at Albuquerque Racetrack.**

Licensee is found to be in violation of:

**15.2.5.8 (B)(10) Procedure For Entries** Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

**15.2.5.8 (B)(6) Procedure For Entries** No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

For this rule violation, the Board of Stewards assessed **Anthony Montoya** a penalty in the amount of **One Hundred Dollars (\$ 100.00).** The fine is to paid on or before **August 6, 2018**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

**This ruling is written in accordance with:**

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

**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 #: 2018-DAA-13  
Track Downs at Albuquerque  
Ruling Date: 7/7/2018

Licensee: RAMIREZ, ESTEBAN

License Type: 2017 3 Year Trainer      Applicant Id: 19424  
License Number: 287884

Ruling # 2018-DAA-13

Action Type: Initial Ruling

Ruling:

Trainer **Estaban Ramirez** having been duly notified appeared Telephonically before the Board of Stewards on **July 7, 2018**, for sending an unauthorized person to the test barn with his entry **Westa** after the **2nd race on July 6, 2018** at The Downs at Albuquerque.

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

**15.2.6.10 (A)(4)REPORTING TO THE TEST BARN:** 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

For this rule violation, the Board of Stewards assessed **Estaban Ramirez** a penalty in the amount of **One hundred dollars (\$100.00)**. The fine is to be paid on or before **August 6, 2018**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

**This ruling is written in accordance with:**

15.2.3.8 B (3)(f) Stewards Disciplinary Action  
15.2.3.8 B (3)(a) Stewards Disciplinary Action  
15.2.3.8 B (1) (d) Stewards General Authority  
16.47.1.8. T. KNOWLEDGE OF RULES:  
16.47.1.3 Statutory Authority  
16.47.1.8 (A)(1) License Required  
16.47.1.8 (A)(2) License Required  
16.47.1.8(N) Last Known Address

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
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Ruling #: 2018-DAA-14  
Track Downs at Albuquerque  
Ruling Date: 7/7/2018

Licensee: GONZALEZ, ANDRES S  
License Type: 2017 3 Year Trainer Applicant Id: 28171  
License Number: 285598

Ruling # 2018-DAA-14

Action Type: Initial Ruling

Ruling:

Trainer: Andres S. Gonzalez was duly notified and **waived his right to a hearing** before the Board of Stewards on **July 7, 2018**. The hearing was in regard to a **certificate of analysis** from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the urine of horse "**Opener Storm**" (**Test Sample #: NM30674**), who **finished in 3rd place in the 4th race on May 4, 2018, at SunRay Park Racetrack**. Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on **May 24, 2018**.

Luis A. Sanchez, was the **owner** of record for horse "**Opener Storm**", and was duly notified..

**Licensee is found in violation of and ruling written in accordance with:** 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A) Trainer Responsibility/ 15.2.6.9(B)(2) Penalty Recommendations

**For Andres S. Gonzalez's 2nd Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:**

1. **A 60 day suspension of all NMRC licenses starting July 16, 2018, through September 13, 2018, inclusive.**
2. **A (\$1500.00) Fifteen Hundred Dollar fine to paid on or before August 7, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time will result in immediate suspension.**

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

**15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: 2018-DAA-15  
Track Downs at Albuquerque  
Ruling Date: 7/7/2018

Licensee: GUTIERREZ, JR LUIS ALONSO  
License Type: 2016 3 Year Jockey Applicant Id: 20180  
License Number: 283848

Ruling # 2018-DAA-15

Action Type: Initial Ruling

Ruling:

**Jockey Luis Alonso Gutierrez Jr.,** having failed to appear or send a jockey guild's representative regarding the **4th race on July 1, 2018, at The Downs at Albuquerque Racetrack,** is found in violation of Commission rules.

**Licensee is found in violation of:**

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

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

For this rule violation, the Board of Stewards assessed **Luis Alonso Gutierrez Jr.** a penalty of **Fifty dollars (\$50.00)**. The fine is to be paid on or before **August 7, 2018** once with **15.2.3.8(B)(3)(I)**. Failure to pay the fine within the time prescribed will result in immediate suspension.

**This ruling is written in accordance with:**

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

15.2.3.8 B (1) (a) Stewards General Authority

15.2.3.8 B (1) (c) Stewards General Authority

16.47.1.8 (T) KNOWLEDGE OF RULES

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

15.2.1.9(B)(9)(a) Failure to Appeal

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
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Ruling #: 2018-DAA-16  
Track Downs at Albuquerque  
Ruling Date: 7/8/2018

Licensee: MEGARIZ, JR MICHAEL

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

Ruling # 2018-DAA-16

Action Type: Initial Ruling

Ruling:

Trainer: Micheal Megariz Jr. was duly notified and **waived his right to a hearing** before the Board of Stewards on **July 7, 2018**. The hearing was in regard to a **certificate of analysis** from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the urine of horse "Whos Your Senator" (**Test Sample #: NM30669**), who **finished in 1st place in the 3rd race on May 4, 2018, at SunRay Park Racetrack**. Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on **May 24, 2018**. Jorge L. and Jaime Morales, were the **owners** of record for the horse "Whos Your Senator", and were duly notified..

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A) Trainer Responsibility/ 15.2.6.9(B)(2) Penalty Recommendations

For Micheal Megariz Jr's 2nd Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

1. A 60 day suspension of all NMRC licenses starting July 16, 2018, through September 13, 2018, inclusive.
2. A (\$2000.00) Two Thousand Dollar fine to paid on or before August 7, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time will result in immediate suspension.

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

**15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



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Ruling #: 2018-DAA-17  
Track Downs at Albuquerque  
Ruling Date: 7/8/2018

Licensee: SANCHEZ, LUIS A

License Type: 2017 3 Year Owner      Applicant Id: 159549  
License Number: 284620

Ruling # 2018-DAA-17

Action Type: Initial Ruling

Ruling:

Owner Luis A. Sanchez was duly notified and waived his right to a hearing telephonically before the Board of Stewards on July 07, 2018. The hearing was in regard to a certificate of analysis from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the urine of horse "Opener Storm" (Test Sample #: NM30674), who finished in 3rd place in the 4th race on May 4, 2018, at Sunray Park Racetrack in Farmington, NM. Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on May 24, 2018.

Andres S. Gonzalez, was the trainer of record for horse "Opener Storm", and was duly notified.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Penalty Recommendations 15.2.1.9(B)(9)(b):

For Luis A. Sanchez's first Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse "Opener Storm" is placed on the Stewards list for a period of 60 days (beginning May 17, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
2. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "Opener Storm" is hereby disqualified from third place and ordered unplaced from the 4th race on May 4, 2018, at Sunray Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Sr Ima Runaway
2. Bf One Sweet Memory
3. Dannys Great Knight
4. Frozen Star
5. Tellers Eagle
6. Rimen High
7. A Bit of Piloto
8. Miss Royal Jump

Unplaced "Opener Storm"

**Appeal Procedures** 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  
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Ruling #: 2018-DAA-18  
Track Downs at Albuquerque  
Ruling Date: 7/8/2018

Licensee: MEGARIZ, JR MICHAEL

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

Ruling # 2018-DAA-18

Action Type: Initial Ruling

Ruling:

Trainer: Micheal Megariz Jr. was duly notified and **waived his right to a hearing** before the Board of Stewards on **July 7, 2018**. The hearing was in regard to a **certificate of analysis** from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" and Stanozolol the metabolite of 16-hydroxy-stanozolol detected in the horse "**Flash of Victory**" (**Test Sample #: NM32272**), who **finished in 1st place in the 7th race on May 11, 2018, at SunRay Park Racetrack**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined.

Julio Cabellero, was the **owner** of record for the horse "**Flash of Victory**", and was duly notified.

**Licensee is found in violation of and ruling written in accordance with:** 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A) Trainer Responsibility/ 15.2.6.9(B)(2) Penalty Recommendations

**For Micheal Megariz's 3rd Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:**

1. **A 120 day suspension of all NMRC licenses starting September 14, 2018, through January 11, 2019, inclusive. These dates are associated with other rulings, and may become effective immediately if those rulings are amended.**
2. **A (\$3500.00) Three Thousand Five Hundred Dollar fine to paid on or before August 7, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time will result in immediate suspension.**

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

**15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-DAA-19  
Track Downs at Albuquerque  
Ruling Date: 7/8/2018

Licensee: MENDOZA, RAMON

License Type: 2016 3 Year Trainer      Applicant Id: 159104  
License Number: 283102

Ruling # 2018-DAA-19

Action Type: Initial Ruling

Ruling:

Trainer **Ramon Mendoza** having been duly notified and having appeared telephonically before the Board of Stewards on **July 8, 2018**, for missing Lasix for entry, "**Nieves de Enero**", which resulted in a late scratch and mutuel refund in the 9th race on July 7, 2018, at The Down at Albuquerque Racetrack.

Licensee is found in violation of.

**15.2.6.9(D) (2) USE OF FUROSEMIDE IN DETENTION BARN** The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is utilized: furosemide shall be administered by the official veterinarian, the racing veterinarian, or practicing veterinarian no less than four hours prior to post in which the horse is entered. A horse qualified for furosemide administration must be brought to the detention barn one hour prior to the fourhour administration requirement specified above. After treatment, the horse shall be required by the commission to remain in the detention barn in the care, custody and control of its trainer or the trainer's designated representative under association or commission security supervision until called to the saddling paddock.

**15.2.6.9(D) (3) USE OF FUROSEMIDE ON ASSOCIATION GROUNDS** The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is not utilized: furosemide shall be administered by the official veterinarian, the racing veterinarian, or practicing veterinarian no less than four hours prior to post in which a horse is entered; the horse must be logged in at the stable gate with time and location no less than one hour prior to administration; the furosemide dosage administered shall not exceed 500 milligrams nor be less than 150 milligrams; the trainer of the treated horse shall cause to be delivered to the official veterinarian or their designee no later than one hour prior to post time for the race for which the horse is entered the following information under oath on a form provided by the commission: the racetrack name, the date and time the furosemide was administered to the entered horse; the dosage amount of furosemide administered to the entered horse; the printed name and signature of the attending licensed veterinarian who administered the furosemide.

For this violation, the Board of Stewards assessed **Ramon Mendoza** a fine in the amount of **two hundred dollars, (\$200.00)**. The fine is to be paid on or before **August 7, 2018**, in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.





New Mexico Racing Commission  
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Ruling #: 2018-DAA-20  
Track Downs at Albuquerque  
Ruling Date: 7/8/2018

Licensee: MORALES-PORTILLO, JORGE L.

License Type: 2016 3 Year Owner      Applicant Id: 158980  
License Number: 282632

Ruling # 2018-DAA-20

Action Type: Initial Ruling

Ruling:

Owner Jorge L. Morales was duly notified and waived his right to a hearing telephonically before the Board of Stewards on July 07, 2018. The hearing was in regard to a certificate of analysis from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the urine of horse "Whos Your Senator" (Test Sample #: NM30669), who finished in 1st place in the 3rd race on May 4, 2018, at Sunray Park Racetrack in Farmington, NM. Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on May 24, 2018.

Michael Megariz Jr, was the trainer of record for horse "Whos Your Senator", and was duly notified.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Penalty Recommendations 15.2.1.9(B)(9)(b):

For Jorge L. Morales first Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse "Whos Your Senator" is placed on the Stewards list for a period of 60 days (beginning May 17, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

2. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "Whos Your Senator" is hereby disqualified from third place and ordered unplaced from the 3rd race on May 4, 2018, at Sunray Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Mystoli
2. Little Bit James
3. Streakin Vago
4. Tempting Love
5. Jg La Jefa
6. Ebonys Cartel
7. Scootin Pyc
8. Regard the Chicks
9. Painted Bridge

Unplaced "Whos Your Senator"

**Appeal Procedures** 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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Ruling #: 2018-DAA-21  
Track Downs at Albuquerque  
Ruling Date: 7/8/2018

Licensee: Lull, Richard Edward

License Type: 2018 1 Year Jockey      Applicant Id: 159857  
License Number: 290263

Ruling # 2018-DAA-21

Action Type: Initial Ruling

Ruling:

Jockey Richard Lull is hereby suspended, effective **July 8, 2018**, having failed to pay the (\$200.00) Two hundred dollar fine assessed in Ruling 2018-SRP-81 and the (\$200.00) Two Hundred Dollar fine assessed in Ruling 2018-SRP-79.

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

**15.2.3.8 (B)(3)(1) NMAC** All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered.

During said time of applicable suspension, **Richard Lull** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC.

**This ruling is written in accordance with:**

15.2.3.8 B (3)(f) Stewards Disciplinary Action  
15.2.3.8 B (3)(a) Stewards Disciplinary Action  
15.2.3.8 B (1) (d) Stewards General Authority  
16.47.1.8. T. KNOWLEDGE OF RULES:  
16.47.1.3 Statutory Authority  
16.47.1.8 (A)(1) License Required  
16.47.1.8 (A)(2) License Required  
16.47.1.8(N) Last Known Address

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
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Ruling #: 2018-DAA-22  
Track Downs at Albuquerque  
Ruling Date: 7/8/2018

Licensee: GONZALEZ, SR JOSE R  
License Type: 2018 3 Year Trainer Applicant Id: 19527  
License Number: 289496

Ruling # 2018-DAA-22

Action Type: Initial Ruling

Ruling:

Trainer: Jose R. Gonzalez Sr. was duly notified and waived his right to a hearing before the Board of Stewards on **July 7, 2018**. The hearing was in regard to a **certificate of analysis** from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the urine of horse "Presteejess" (Test Sample #: NM30665), who **finished in 3rd place in the 1st race on May 4, 2018, at SunRay Park Racetrack**. Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on **May 24, 2018**.

Oscar Vasquez Arenivar, was the owner of record for the horse "Presteejess", and was duly notified..

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A) Trainer Responsibility/ 15.2.6.9(B)(2) Penalty Recommendations

For Jose R. Gonzalez Sr.'s 1st Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

1. A 30 day suspension of all NMRC licenses starting July 16, 2018, through August 14, 2018, inclusive.
2. A (\$750.00) Seven Hundred Fifty Dollar fine to paid on or before August 7, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time will result in immediate suspension.

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

**15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-DAA-23  
Track Downs at Albuquerque  
Ruling Date: 7/8/2018

Licensee: GONZALEZ, SR JOSE R  
License Type: 2018 3 Year Trainer Applicant Id: 19527  
License Number: 289496

Ruling # 2018-DAA-23

Action Type: Initial Ruling

Ruling:

Trainer: Jose R. Gonzalez Sr. was duly notified and waived his right to a hearing before the Board of Stewards on July 7, 2018. The hearing was in regard to a certificate of analysis from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the horse "Lethal Folly" (Test Sample #: NM32270), who finished in 3rd place in the 6th race on May 11, 2018, at SunRay Park Racetrack Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined.

A&H Construction (Hipolito Vasquez), was the owner of record for the horse "Lethal Folly", and was duly notified.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A) Trainer Responsibility/ 15.2.6.9(B)(2) Penalty Recommendations

For Jose R. Gonzalez Sr's 2nd Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

1. A 60 day suspension of all NMRC licenses starting August 15, 2018, through October 13, 2019, inclusive. These dates are associated with other rulings, and may become effective immediately if those rulings are amended.
2. A (\$2000.00) Two Thousand Dollar fine to paid on or before August 7, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time will result in immediate suspension.

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

**15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-DAA-24  
Track Downs at Albuquerque  
Ruling Date: 7/7/2018

Licensee: MORALES-PORTILLO, JAIME

License Type: 2016 3 Year Owner      Applicant Id: 158981  
License Number: 282639

Ruling # 2018-DAA-24

Action Type: Initial Ruling

Ruling:

Owner Jaime Morales was duly notified and waived his right to a hearing telephonically before the Board of Stewards on July 07, 2018. The hearing was in regard to a certificate of analysis from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the urine of horse "Whos Your Senator" (Test Sample #: NM30669), who finished in 1st place in the 3rd race on May 4, 2018, at Sunray Park Racetrack in Farmington, NM. Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on May 24, 2018.

Michael Megariz Jr, was the trainer of record for horse "Whos Your Senator", and was duly notified.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Penalty Recommendations 15.2.1.9(B)(9)(b):

For Jaime Morales first Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse "Whos Your Senator" is placed on the Stewards list for a period of 60 days (beginning May 17, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

2. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "Whos Your Senator" is hereby disqualified from third place and ordered unplaced from the 3rd race on May 4, 2018, at Sunray Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Mystoli
2. Little Bit James
3. Streakin Vago
4. Tempting Love
5. Jg La Jefa
6. Ebonys Cartel
7. Scootin Pyc
8. Regard the Chicks
9. Painted Bridge

Unplaced "Whos Your Senator"

**Appeal Procedures** 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 #: 2018-DAA-25  
Track Downs at Albuquerque  
Ruling Date: 7/8/2018

Licensee: CABALLERO, JULIO C

License Type: 2015 3 Year Owner      Applicant Id: 33866  
License Number: 279391

Ruling # 2018-DAA-25

Action Type: Initial Ruling

Ruling:

Owner Julio Cabellero was duly notified and waived his right to a hearing telephonically before the Board of Stewards on July 07, 2018. The hearing was in regard to a certificate of analysis from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" and Stanozolol the metabolite of 16-hydroxy-stanozolol detected in the horse "Flash of Victory" (Test Sample #: NM32272), who finished in 1st place in the 7th race on May 11, 2018, at Sunray Park Racetrack in Farmington, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined.

Michael Megariz Jr, was the trainer of record for horse "Flash of Victory", and was duly notified.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Penalty Recommendations 15.2.1.9(B)(9)(b):

For Julio Cabellero first Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse "Flash of Victory" is placed on the Stewards list for a period of 60 days (beginning May 17, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

2. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "Flash of Victory" is hereby disqualified from third place and ordered unplaced from the 7th race on May 11, 2018, at Sunray Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Mosheh
2. Watching Nemo
3. Flashin On By
4. Jess Blazin Queen
5. Hearts Rafaella
6. My Moon Crest
7. Ginuwine Buzz
8. De Blazin Chick

Unplaced "Flash of Victory"

**Appeal Procedures** 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 #: 2018-DAA-26  
Track Downs at Albuquerque  
Ruling Date: 7/11/2018

Licensee: VASQUEZ-ARENIVAR, OSCAR  
License Type: 2017 3 Year Owner      Applicant Id: 160335  
License Number: 287559

Ruling # 2018-DAA-26

Action Type: Initial Ruling

Ruling:

Owner Oscar Vasquez Arenivar was duly notified and **waived his right to a hearing telephonically** before the Board of Stewards on July 07, 2018. The hearing was in regard to a **certificate of analysis** from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the horse "Presteejess" (Test Sample #: NM30665), who finished in 3rd place in the 1st race on May 4, 2018, at Sunray Park Racetrack in Farmington, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on May 24, 2018.

Jose R. Gonzalez Sr, was the trainer of record for horse "Presteejess", and was duly notified.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Penalty Recommendations **15.2.1.9(B)(9)(b):**

For Oscar Vasquez Arenivar first Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse "Presteejess" is placed on the Stewards list for a period of 60 days (beginning May 17, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
2. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "Presteejess" is hereby disqualified from third place and ordered unplaced from the 1st race on May 4, 2018, at Sunray Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Jayhoon
2. Sixes Royal
3. City Fire
4. Jess Shantanstic
5. Pauls Special Knight
6. Rays Heavenly Trip
7. Tawnie Port
8. Move On Lizzy

Unplaced "Presteejess"

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



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-DAA-27  
Track Downs at Albuquerque  
Ruling Date: 7/11/2018

Licensee: VASQUEZ-VASQUEZ, HIPOLITO  
License Type: 2015 3 Year Owner      Applicant Id: 157905  
License Number: 278980

Ruling # 2018-DAA-27

Action Type: Initial Ruling

Ruling:

Owner A & H Construction (Hipolito Vasquez) was duly notified and **waived his right to a hearing telephonically** before the Board of Stewards on July 07, 2018. The hearing was in regard to a **certificate of analysis** from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the horse "Lethal Folly" (Test Sample #: NM32270), who finished in 3rd place in the 6th race on May 11, 2018, at Sunray Park Racetrack in Farmington, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined.

Jose R. Gonzalez Sr, was the trainer of record for horse "Lethal Folly", and was duly notified.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Penalty Recommendations 15.2.1.9(B)(9)(b):

For A & H Construction (Hipolito Vasquez) first Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse "Lethal Folly" is placed on the Stewards list for a period of 60 days (beginning May 17, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

2. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "Lethal Folly" is hereby disqualified from third place and ordered unplaced from the 6th race on May 11, 2018, at Sunray Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Shezaliknthemselfies
2. Jm Tacs Fast Prize
3. Tres Seis Game
4. Jess a Fast Prize
5. High and Mightier
6. Just Gimme a Reason

Unplaced "Lethal Folly"

**Appeal Procedures** 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 #: 2018-DAA-28  
Track Downs at Albuquerque  
Ruling Date: 7/11/2018

Licensee: PERKINS, JASON MARVYN  
License Type: 2018 1 Year Trainer      Applicant Id: 30393  
License Number: 289617

Ruling # 2018-DAA-28

Action Type: Initial Ruling

Ruling:

Trainer **Jason Perkins** having been duly notified telephonically and waved a hearing before the Board of Stewards on **July 11, 2018**, for failure to appear in the paddock with entry, "**Big Time Thriller**", which resulted in a late scratch and mutuel refund in the **1st** race on **July 8, 2018** at The Downs at Albuquerque Race Track.

**Licensee is found in violation of.**

**16.47.1.10 (C) (22) TRAINER RESPONSIBILITY** presenting his/her horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;

For this rule violation, the Board of Stewards assessed **Jason Perkins** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **August 8, 2018** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

**This ruling in written in accordance with:**

15.2.3.8 B (3)(f) Stewards Disciplinary Action  
15.2.3.8 B (3)(a) Stewards Disciplinary Action  
15.2.3.8 B (1) (d) Stewards General Authority  
16.47.1.8. T. KNOWLEDGE OF RULES:  
16.47.1.3 Statutory Authority  
16.47.1.8 (A)(1) License Required  
16.47.1.8 (A)(2) License Required  
16.47.1.8(N) Last Known Address

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-DAA-29  
Track Downs at Albuquerque  
Ruling Date: 7/11/2018

Licensee: Lull, Richard Edward

License Type: 2018 1 Year Jockey      Applicant Id: 159857  
License Number: 290263

Ruling # 2018-DAA-29

Action Type: Initial Ruling

Ruling:

Issued in error

By Order of The Downs at Albuquerque Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.

*Victor Esch*

*Ron Walker*

*Linda Solerias*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-DAA-30  
Track Downs at Albuquerque  
Ruling Date: 7/13/2018

Licensee: LEYBA, JR RUBEN

License Type: 2018 3 Year Trainer      Applicant Id: 34791  
License Number: 288784

Ruling # 2018-DAA-30

Action Type: Initial Ruling

Ruling:

Trainer: Ruben Leyba was duly notified and waived his right to a hearing before the Board of Stewards on July 11, 2018. The hearing was in regard to a certificate of analysis from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the urine of horse "Rg Miracle" (Test Sample #: NM30682), who finished in 2nd place in the 7th race on May 4, 2018, at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded and declined.

Shirley Grisham and Lilly Leyba, are the owners of record for horse "Rg Miracle", and was duly notified..

Ruben Leyba is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(1)(4) Medication Restrictions/ 15.2.6.11(A) Trainer Responsibility/ 15.2.6.9(B)(2) Penalty Recommendations

For Ruben Leyba's 1st Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

1. A 30 day suspension of all NMRC licenses starting July 23, 2018, through August 21, 2018, inclusive.
2. A (\$750.00) Seven Hundred Fifty Dollar fine to paid on or before August 13, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time will result in immediate suspension.

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

**15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-DAA-31  
Track Downs at Albuquerque  
Ruling Date: 7/13/2018

Licensee: HARRIS, JOYCE ANN

License Type: 2016 3 Year Trainer      Applicant Id: 13184  
License Number: 281958

Ruling # 2018-DAA-31

Action Type: Initial Ruling

Ruling:

Trainer: Joyce Harris was duly notified and **waived her right to a hearing** before the Board of Stewards on **July 11, 2018.** The hearing was in regard to a certificate of analysis from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "**16-Hydroxystanozolol**" detected in the urine of horse "**One Foxy Babe**" (**Test Sample #: NM30566**), who **finished in 2nd place in the 9th race on April 23, 2018, at SunRay Park Racetrack.** Split sample rights as provided in 15.2.6.10 (D) NMRC, were afforded and declined.

Dezmer J. Harris and Joyce Harris, are the **owners** of record for horse "**One Foxy Babe**", and were duly notified..

**Joyce Harris is found in violation of, and ruling written, in accordance with:** 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(1)(4) Medication Restrictions/ 15.2.6.11(A) Trainer Responsibility/ 15.2.6.9(B)(2) Penalty Recommendations

**For Joyce Harris's 1st Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:**

1. **A 30 day suspension of all NMRC licenses starting July 21, 2018, through August 19, 2018, inclusive.**
2. **A (\$750.00) Seven Hundred Fifty Dollar fine to paid on or before August 13, 2018,** in accordance with **15.2.3.8 (B)(3)(I).** Failure to pay fine in prescribed time will result in immediate suspension.

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

**15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-DAA-32  
Track Downs at Albuquerque  
Ruling Date: 7/13/2018

Licensee: GRISHAM, SHIRLEY ANN

License Type: 2018 3 Year Owner      Applicant Id: 25076  
License Number: 289259

Ruling # 2018-DAA-32

Action Type: Initial Ruling

Ruling:

Owner Shirley Grishim was duly notified and waived his right to a hearing before the Board of Stewards on July 11, 2018. The hearing was in regard to a **certificate of analysis** from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the horse "Rg Miracle" (Test Sample #: NM30682), who finished in 2nd place in the 7th race on May 04, 2018, at Sunray Park Racetrack in Farmington, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined.

Ruben Leyba Jr, was the trainer of record for horse "Rg Miracle", and was duly notified.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Penalty Recommendations 15.2.1.9(B)(9)(b):

For Shirley Grishim first Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse "Rg Miracle" is placed on the Stewards list for a period of 60 days (beginning May 17, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

2. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "Rg Miracle" is hereby disqualified from second place and ordered unplaced from the 7th race on May 04, 2018, at Sunray Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Cartels Star Daddy
2. Go Daddy Gone
3. Daddy Queen Cartel
4. First Note Medley
5. Passemupjesse
6. Pjs Gonna Ro
7. Heza Wild Dragon
8. Jess Bordeaux
9. First Moon Fire

Unplaced "Rg Miracle"

**Appeal Procedures** 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 #: 2018-DAA-33  
Track Downs at Albuquerque  
Ruling Date: 7/13/2018

Licensee: LEYBA, LILLY A

License Type: 2016 3 Year Owner      Applicant Id: 159315  
License Number: 283820

Ruling # 2018-DAA-33

Action Type: Initial Ruling

Ruling:

Owner Lilly Leyba was duly notified and waived his right to a hearing before the Board of Stewards on July 11, 2018. The hearing was in regard to a **certificate of analysis** from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the horse "Rg Miracle" (Test Sample #: NM30682), who finished in 2nd place in the 7th race on May 04, 2018, at Sunray Park Racetrack in Farmington, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined.

Ruben Leyba Jr, was the trainer of record for horse "Rg Miracle", and was duly notified.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Penalty Recommendations 15.2.1.9(B)(9)(b):

For Lilly Leyba's first Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse "Rg Miracle" is placed on the Stewards list for a period of 60 days (beginning May 17, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

2. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "Rg Miracle" is hereby disqualified from second place and ordered unplaced from the 7th race on May 04, 2018, at Sunray Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Cartels Star Daddy
2. Go Daddy Gone
3. Daddy Queen Cartel
4. First Note Medley
5. Passemupjesse
6. Pjs Gonna Ro
7. Heza Wild Dragon
8. Jess Bordeaux
9. First Moon Fire

Unplaced "Rg Miracle"

**Appeal Procedures** 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

*Linda Salinas*      *Victor Cook*      *Lowell*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-DAA-34  
Track Downs at Albuquerque  
Ruling Date: 7/14/2018

Licensee: HARRIS, DEZMER JACKSON  
License Type: 2015 3 Year Owner      Applicant Id: 20068  
License Number: 280409

Ruling # 2018-DAA-34

Action Type: Initial Ruling

Ruling:

Owner Desmer J. Harris was duly notified and **waived his right to a hearing** before the Board of Stewards on July 11, 2018. The hearing was in regard to a **certificate of analysis** from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "16-Hydroxystanozolol" detected in the urine of the horse "One Foxy Babe" (Test Sample #: NM30566), who finished in 2nd place in the 9th race on April 23, 2018, at Sunray Park Racetrack in Farmington, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined. Joyce Harris, was the trainer of record for horse "One Foxy Babe", and was duly notified.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Penalty Recommendations 15.2.1.9(B)(9)(b):

For Desmer J. Harris first Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse "One Foxy Babe" is placed on the Stewards list for a period of 60 days (beginning May 3, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

2. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "One Foxy Babe" is hereby disqualified from second place and ordered unplaced from the 9th race on April 23, 2018, at Sunray Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Explosive Spy
2. A Kiss for Mom
3. McGoldie
4. Sippin
5. Contradiction
6. Sunday Rose
7. Woodacouldadid
8. Black Jack Sue

Unplaced "One Foxy Babe"

**Appeal Procedures** 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 #: 2018-DAA-35  
Track Downs at Albuquerque  
Ruling Date: 7/14/2018

Licensee: HARRIS, JOYCE ANN

License Type: 2015 3 Year Owner      Applicant Id: 13184  
License Number: 280410

Ruling # 2018-DAA-35

Action Type: Initial Ruling

Ruling:

Owner Joyce Harris was duly notified and **waived his right to a hearing** before the Board of Stewards on July 11, 2018. The hearing was in regard to a **certificate of analysis** from U C Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "16-Hydroxystanozolol" detected in the urine of the horse "One Foxy Babe" (Test Sample #: NM30566), who finished in 2nd place in the 9th race on April 23, 2018, at Sunray Park Racetrack in Farmington, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined.

Joyce Harris, was the trainer of record for horse "One Foxy Babe", and was duly notified.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Penalty Recommendations 15.2.1.9(B)(9)(b):

For Joyce Harris's first Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse "One Foxy Babe" is placed on the Stewards list for a period of 60 days (beginning May 3, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

2. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "One Foxy Babe" is hereby disqualified from second place and ordered unplaced from the 9th race on April 23, 2018, at Sunray Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Explosive Spy
2. A Kiss for Mom
3. McGoldie
4. Sippin
5. Contradiction
6. Sunday Rose
7. Woodacouldadid
8. Black Jack Sue

Unplaced "One Foxy Babe"

**Appeal Procedures** 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