



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-180  
Track Ruidoso Downs  
Ruling Date: 8/27/2016

Licensee: GREEN, GREG ALLEN

License Type: 2014 3 Year Trainer      Applicant Id: 15219  
Date of Birth: 05/30/1981      License Number: 174442

Ruling # 2016-RUI-180

Action Type: Initial Ruling

Ruling:

Trainer Greg Green having been duly notified, failing to appear, and had his hearing held in absentia before the Board Of Stewards on August 27, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMRC), for a confirmed positive of Phenylbutazone and Flunixin (a stacking violation for Class 4 Penalty C therapeutic drugs) found in test sample NM18705 taken from the winner "First Place" following the 9th race, on June 6, 2016 at Ruidoso Downs in Ruidoso, NM.

The original lab report indicated a finding of Phenylbutazone at 1.17 micrograms per milliliter in the blood and Flunixin at 6.1 nanograms per milliliter in the blood . The Flunixin was confirmed at 5.8  $\pm$  .7 nanograms per milliliter with a split sample sent to Industrial Laboratories on July 13, 2016. Split samples rights concerning the Phenylbutazone positive, as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Greg Green.

Owners Benjamin King and Charlie King were duly notified and failed to appear for the hearing. They are the owners of record for horse "First Place" which was the subject of the Phenylbutazone and Flunixin positive.

For this FOURTH Class 4C medication violation in a 365- day period issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed Greg Green a penalty as follows:

1.A (\$1,000) one thousand dollar fine to paid on or before September 27, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Which states that "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 fine in prescribed time may result in an immediate suspension.

Greg Green 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".

15.2.6.11(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



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laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

16.47.1.8. 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.

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES: The following outline describes the types of substances placed in each category. This list shall be publicly posted in the offices of the official veterinarian and the racing secretary. (4) Class 4 - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so. Groups of drugs assigned to this category include the following. (a) Non-opiate drugs which have a mild central analgesic effect. (b) Drugs affecting the autonomic nervous system, which do not have prominent CNS, cardiovascular, or respiratory effects. (i) Drugs used solely as topical vasoconstrictors or decongestants. (ii) Drugs used as gastrointestinal antispasmodics (iii) Drugs used to void the urinary bladder. (iv) Drugs with a major effect on CNS vasculature or smooth muscle of visceral organs. (c) Antihistamines, which do not have a significant CNS depressant effect (This does not include H1 blocking agents, which are listed in class 5) (d) Mineralocorticoid drugs. (e) Skeletal muscle relaxants. (f) Anti-inflammatory drugs--those that may reduce pain as a consequence of their anti-inflammatory actions, which include. (i) Non-steroidal anti-inflammatory drugs (NSAIDs), except for those specifically approved by the commission. (ii) Corticosteroids (glucocorticoids). (iii) Miscellaneous anti-inflammatory agent (g) Anabolic or androgenic steroids and other drugs. (h) Less potent diuretics. (i) Cardiac glycosides and antiarrhythmics including. (i) Cardiac glycosides. (ii) Antiarrhythmics agents (exclusive of lidocaine, bretylium and propanolol). (iii) Miscellaneous cardiotonic drugs. (j) Topical anesthetics--agents not available in injectable formulations (k) Antidiarrheal agents. (l) Miscellaneous drugs including: (i) expectorants with little or no other pharmacologic action; (ii) stomachics; (iii) mucolytic agents.

15.2.6.9(P)(6) (6) A NSAID stacking violation with a penalty class C (fines only) occurs when any combination of two of the following non-steroidal anti-inflammatory drugs are found at or below the restrictions in Subparagraphs (a) through (e) of Paragraph 3 above but in excess of the noted restrictions: (a) Flunixin - 3 nanograms per milliliter of plasma or serum; (b) Ketoprofen - 1 nanogram per milliliter of plasma or serum; (c) Phenylbutazone - 0.3 micrograms per milliliter of plasma or serum.

15.2.6.9 C. PENALTY RECOMMENDATIONS: (3) Category C penalties will be assessed for violations due to the presence of a drug carrying a category C penalty and overages for NSAID's and furosemide (all concentrations are for measurements in serum or plasma). Recommended penalties for category C violations, overages for permitted NSAID's and furosemide are as follows :Trainer 3rd offense (365-day period) in any jurisdiction in the following levels, the penalty is a minimum fine of \$500 to a maximum fine of \$1,000: (4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. Penalties will run consecutively for a trainer or owner.



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License Type: 2014 3 Year Trainer Applicant Id: 15219

Date of Birth: 05/30/1981 License Number: 174442

15.2.1.9(B)(4)(d) Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

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

By Order of The Ruidoso Downs Stewards



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Ruling #: 2016-RUI-181  
Track Ruidoso Downs  
Ruling Date: 8/27/2016

Licensee: GAMEZ, LARRY DOLORES

License Type: 2015 3 Year Jockey      Applicant Id: 20748  
Date of Birth: 04/13/1962      License Number: 279025

Ruling # 2016-RUI-181

Action Type: Initial Ruling

Ruling:

Jockey, Larry Gamez, having been summoned and having appeared before the Board of Stewards on August 27, 2016, for careless riding during the running of the first race on August 26, 2016, at Ruidoso Downs, while aboard #1 "ZUBIEZOOMINHAWK" which resulted in the disqualification of his mount from first place to third place. (Bore out sharply under left handed whip turning for home, bumping 2 off stride.)

For this violation, the Board of Stewards assessed Larry Gamez a suspension of 3 race days (September 4, 2016, September 5, 2016, and September 7, 2016).

Larry Gamez is allowed to ride designated races.

This ruling is in accordance with:

**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."

**15.2.5.13(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)(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."

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**6.47.1.8. 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.

**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."



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Ruling #: 2016-RUI-182  
Track Ruidoso Downs  
Ruling Date: 8/29/2016

Licensee: CAP, MARY KAY

License Type: 2015 3 Year Official V Applicant Id: 13723

Date of Birth: 11/27/1961 License Number: 279301

Ruling # 2016-RUI-182

Action Type: Initial Ruling

Ruling:

The **Official Veterinarian and Practicing Veterinarian licenses** issued to **Mary Cap** are hereby rescinded without prejudice as she has appeared before the Board of Stewards and stated that she is no longer employed in that licensed capacity and is hereby reissued her **Owners** license.

This ruling is in accordance with:

**16.47.1.8 (M)(2) NMAC**: Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license".

**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 Ruidoso Downs Stewards



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Ruling #: 2016-RUI-183  
Track Ruidoso Downs  
Ruling Date: 8/29/2016

Licensee: STEPHENS, RONALD L

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

Ruling # 2016-RUI-183

Action Type: Initial Ruling

Ruling:

Trainer **Ronald Stephens** having been duly notified and having responded telephonically before the Board of Stewards **on August 29, 2016, regarding a lab report from UC/Davis** (official testing laboratory for the NMSRC), for a confirmed positive during out of competition testing taken at Ruidoso Downs on June 12, 2016, for the Class 3B drug "clenbuterol" detected in horse **"La Montesa"**, sample #NC32531 . Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by **Ronald Stephens**.

**Brayan Marquez** is the owner of record for horse **"La Montesa"** which was the subject of the clenbuterol positive for out of competition testing . **Brayan Marquez** was duly notified and failed to appear for this hearing.

**Ronald Stephens** is found to be in violation of:

**15.2.6.9(P) NMAC:** Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules"

**15.2.6.9 MEDICATIONS AND PROHIBITED SUBSTANCESK. OUT OF**

**COMPETITION TESTING: (1)** A horse may be subject to out of competition testing without advance notice if the horse is: **(a)** on the grounds of a racetrack or training center under the jurisdiction of the commission **(b)** under the care or control of a trainer or owner licensed by the commission; or **(c)** any horse whose papers are filed in the racing office; or **(d)** has been nominated to a stakes race.**(2)** This rule applies to prohibited substances, practices and procedures are as follows **(a)** class I, class II and class III drugs as listed with the New Mexico racing commission;**(b)** blood doping agents including, but not limited to, erythropoietin (EP), darbepoetin, oxyglobin, hempure, aranasep or any substance that abnormally enhances the oxygenation of body tissues; and **(c)** gene doping agents or the non-therapeutic use of genes, genetic elements, or cells that have the capacity to enhance athletic performance or produce analgesia **(4)** Horses to be tested may be selected at random, with probable cause or as determined by the commission or an agent of the commission **(5)** The commission veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, may at any time take a urine, blood or hair sample from a horse for this purpose **(6)** Split samples shall be collected in accordance with Subsection B of 15.2.6.10 NMAC and shall be secured and made available for further testing in accordance with Subsection D of 15.2.6.10 NMAC.**(7)** All horses selected for testing must be presented to the commission veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, at the time designated, unless the trainer or owner provides verification of an extenuating circumstance that makes it impossible **(8)** Any licensee who does not comply with the rule or the commission veterinarian for a sample may be subject to disciplinary action.**(9)** Cooperation with the commission



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Licensee: STEPHENS, RONALD L

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

veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, includes:

(a) assisting in the immediate location and identification of the horse selected for out of competition testing; and (b) assisting the veterinarian in properly procuring the samples (10) Out of competition samples will be sent to the official laboratory of the commission, or another laboratory as designated by the commission, with reports made in accordance with the provisions of the medication rules and the penalty provisions therefore **L. OUT OF COMPETITION PENALTY**

**RECOMMENDATIONS:** (1) The penalty for any horse not presented for testing upon notification is a maximum suspension of 120 days. (2) The penalty for the trainer of a horse not presented for testing upon notification is a maximum suspension of 180 days. (3) The penalty for any horse with a positive test is a maximum suspension of 120 days and the horse's papers will be removed from the racing office. (4) The penalty for the trainer of a horse with a positive test is a maximum \$1,500 fine and a maximum suspension of 180 days.

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**6.47.1.8. 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.

**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."

For this **first out of competition testing Class 3B medication violation** in a 365- day period issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed **Ronald Stephens** a penalty as follows.

**1. A 60 day suspension of all NMRC licenses beginning September 8, 2016 through November 7, 2016, inclusive.**

**2. (\$1,000) one thousand dollar fine to be paid on or before September 29, 2016,** in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time



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Licensee: STEPHENS, RONALD L

License Type: 2014 3 Year Trainer Applicant Id: 21093

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

may result in an immediate suspension.

**3. The horse "La Montesa"** is hereby placed in the Stewards list for a period of 60 days ( starting August 29, 2016), during this period the papers must be removed from the racing office and horses are denied entry until they must pass a commission approved veterinary examination before being eligible to enter.

During said time of applicable suspension, **Ronald Stephens** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a-b) 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 **Ronald Stephens** 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 Ruidoso Downs Stewards





New Mexico Racing Commission  
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Ruling #: 2016-RUI-184  
Track Ruidoso Downs  
Ruling Date: 8/29/2016

Licensee: STEPHENS, RONALD L  
License Type: 2014 3 Year Trainer      Applicant Id: 21093  
Date of Birth: 10/09/1943      License Number: 206312

Ruling # 2016-RUI-184

Action Type: Initial Ruling

Ruling:

Trainer **Ronald Stephens** having been duly notified and having responded telephonically before the Board of Stewards **on August 29, 2016, regarding a lab report from UC/Davis** (official testing laboratory for the NMSRC), for a confirmed positive during out of competition testing taken at Ruidoso Downs on June 12, 2016, for the Class 3B drug "clenbuterol" detected in horse **"Whilowah"**, sample #NC32532 . Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by **Ronald Stephens**.

**Cesar Marquez** is the owner of record for horse **"Whilowah"** which was the subject of the clenbuterol positive for out of competition testing . **Cesar Marquez** was duly notified and failed to appear for this hearing.

**Ronald Stephens** is found to be in violation of:

**15.2.6.9(P) NMAC:** Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules"

**15.2.6.9 MEDICATIONS AND PROHIBITED SUBSTANCESK. OUT OF COMPETITION TESTING: (1)** A horse may be subject to out of competition testing without advance notice if the horse is: **(a)** on the grounds of a racetrack or training center under the jurisdiction of the commission **(b)** under the care or control of a trainer or owner licensed by the commission; or **(c)** any horse whose papers are filed in the racing office; or **(d)** has been nominated to a stakes race.**(2)** This rule applies to prohibited substances, practices and procedures are as follows **(a)** class 1, class II and class III drugs as listed with the New Mexico racing commission;**(b)** blood doping agents including, but not limited to, erythropoietin (EP), darbepoetin, oxylglobin, hempure, aranasep or any substance that abnormally enhances the oxygenation of body tissues; and **(c)** gene doping agents or the non-therapeutic use of genes, genetic elements, or cells that have the capacity to enhance athletic performance or produce analgesia **(4)** Horses to be tested may be selected at random, with probable cause or as determined by the commission or an agent of the commission **(5)** The commission veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, may at any time take a urine, blood or hair sample from a horse for this purpose **(6)** Split samples shall be collected in accordance with Subsection B of 15.2.6.10 NMAC and shall be secured and made available for further testing in accordance with Subsection D of 15.2.6.10 NMAC.**(7)** All horses selected for testing must be presented to the commission veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, at the time designated, unless the trainer or owner provides verification of an extenuating circumstance that makes it impossible **(8)** Any licensee who does not comply with the rule or the commission veterinarian for a sample may be subject to disciplinary action.**(9)** Cooperation with the commission



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

veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, includes:

(a) assisting in the immediate location and identification of the horse selected for out of competition testing; and (b) assisting the veterinarian in properly procuring the samples (10) Out of competition samples will be sent to the official laboratory of the commission, or another laboratory as designated by the commission, with reports made in accordance with the provisions of the medication rules and the penalty provisions therefore **L. OUT OF COMPETITION PENALTY**

**RECOMMENDATIONS:** (1) The penalty for any horse not presented for testing upon notification is a maximum suspension of 120 days. (2) The penalty for the trainer of a horse not presented for testing upon notification is a maximum suspension of 180 days. (3) The penalty for any horse with a positive test is a maximum suspension of 120 days and the horse's papers will be removed from the racing office. (4) The penalty for the trainer of a horse with a positive test is a maximum \$1,500 fine and a maximum suspension of 180 days.

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**6.47.1.8. 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.

**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."

For this second out of competition testing Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed Ronald Stephens a penalty as follows.

1. A 90 day suspension of all NMRC licenses beginning November 8, 2016 through February 6, 2017, inclusive.
2. (\$1,500) one thousand five hundred dollar fine to be paid on or before September 29, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in



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

prescribed time may result in an immediate suspension.

**3. The horse "Whilowah"** is hereby placed in the Stewards list for a period of 60 days (starting August 29, 2016), during this period the papers must be removed from the racing office and horses are denied entry until they must pass a commission approved veterinary examination before being eligible to enter.

During said time of applicable suspension, **Ronald Stephens** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a-b) 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 **Ronald Stephens** 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 Ruidoso Downs Stewards



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4900 Alameda NE  
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Ruling #: 2016-RUI-185  
Track Ruidoso Downs  
Ruling Date: 9/2/2016

Licensee: QUIROZ, BONIFACIO XAVIER  
License Type: 2014 3 Year Jockey Applicant Id: 86470  
Date of Birth: 04/15/1996 License Number: 184677

Ruling # 2016-RUI-185

Action Type: Initial Ruling

Ruling:

Jockey License (184677) issued to BONIFACIO XAVIER QUIROZ is hereby restored to good standing having been reinstated in Texas.

**15.2.3.8 B (1) (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.

**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."

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Ruling #: 2016-RUI-186  
Track Ruidoso Downs  
Ruling Date: 9/2/2016

Licensee: GILES, FRANCISCO GUILLERMO  
License Type: Applicant Id: 31073  
Date of Birth: 05/15/1990 License Number:

Ruling # 2016-RUI-186

Action Type: Initial Ruling

Ruling:

Jockey **Francisco Giles**, having been summoned and having appeared before the Board of Stewards on **August 25, 2016**, returning to the unsaddling saddling area with a lame horse after the 5th race **on August 22, 2016**, at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Francisco Giles**, a fine in the amount of **two hundred dollars, (\$200.00)**.

The fine is to be paid on or before **October 2, 2016** 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 in accordance with:

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission. **16.47.1.8(L)(1)(h) NMAC:** Which states in pertinent part "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued or order disciplinary measures, if the applicant is a person whose conduct or reputation may reflect on the honesty and integrity of horse racing 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."

**15.2.3.8 B (1) (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.

**6.47.1.8. 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.

**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."

**15.2.1.9(B)(4)(d)** Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this

*Helet Anne*

*Kenner*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-187  
Track Ruidoso Downs  
Ruling Date: 9/2/2016

Licensee: BENCOMO, JOHN DERRICK  
License Type: 2016 1 Year Groom Applicant Id: 159008  
Date of Birth: 08/09/1989 License Number: 282733

Ruling # 2016-RUI-187

Action Type: Initial Ruling

Ruling:

Groom **John B. Bencomo**, having been duly notified, failing to appear, and had hearing held in absentia before the Board of Stewards on **September 2, 2016 at Ruidoso Downs**, for failing to disclose criminal/arrest history on his licensing application.

**John B. Bencomo** is found to be in violation of:

**16.47.1.8 (L)(1)** 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: (a) has been convicted of a felony (d) has failed to disclose or falsely states any information required in the application

**5.2.1.9 B. (4) d)** Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

**16.47.1.8 (L)(1)** 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: (a) has been convicted of a felony; (d) has failed to disclose or falsely states any information required in the application

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**6.47.1.8. 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.

**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."

For this violation, the Board of Stewards issue **John B. Bencomo** a penalty of the following:

A revocation of any/all New Mexico Racing Commission licenses, effective immediately **September 2, 2016**, and is referred to the New Mexico Racing Commission for their further review prior to any further application.

During said time of suspension **John B. Bencomo** is denied access to all grounds under the jurisdiction of the New Mexico Racing Commission in accordance with 15.2.1.9(C)(21)(a) NMAC.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-188  
Track Ruidoso Downs  
Ruling Date: 9/2/2016

Licensee: GILES, WESLEY T  
License Type: Trainer  
Date of Birth: 04/07/1960  
Applicant Id: 21313  
License Number: 81808

Ruling # 2016-RUI-188

Action Type: Initial Ruling

Ruling:

Trainer Wesley Giles, having been duly notified, having failed to appear, and having his hearing held in absentia before the Board of Stewards on September 2, 2016, for working an unlicensed groom on August 14, 2016 at Ruidoso

For this rule violation, the Board of Stewards assessed Wesley Giles a penalty in the amount of **two hundred dollars (\$200)**. The fine is to be paid on or before October 2, 2016 in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

Wesley Giles is found to be in violation of the following rules:

**16.47.1.8 L (1)(C)** 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: who is unqualified, by experience or otherwise, to perform the activities for which a license is required, or who fails to pass an examination prescribed by the commission. **16.47.1.8 (G)(I) NMAC:** Which states in pertinent part "The employment of any unlicensed person under the jurisdiction of the Commission is prohibited". **16.47.1.8. 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. **16.47.1.8 A.** A person as defined by Subsection P, Paragraph (7) of 15.2.1.7 NMAC shall not participate in pari mutuel racing under the jurisdiction of the commission, or be employed by an association who is a gaming operator, without a valid license issued by the commission. **(1)** License categories shall include the following and others as may be established by the commission: **GROUP A** - racing participants eligible for an optional annual or triennial year license to include owners, trainers, veterinarians, jockeys, and stable name registrations. **GROUP B** - associations, racing professionals, concession operators, contractors, and managerial racing officials. **GROUP C** - supervisory racing officials. **GROUP D** - persons employed by the association, or employed by a person or concern contracting with the association, to provide a service or commodity, which requires their presence in a restricted area, or anywhere on association grounds while pari mutuel wagering is being conducted. **GROUP E** - racetrack employees and authorized agents **(2)** Persons required to be licensed shall submit a completed application on forms furnished by the commission and accompanied by the required fee. The following fees are assessed for the issuance of the specified licenses. In addition to license fees listed herein, \$20.00 is assessed for each identification picture and badge. **15.2.1.8 B. (1)** The commission shall regulate each race meeting and the persons who participate in each race meeting

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**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."

**15.2.1.9(B)(4)(d)** Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

  
By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-189  
Track Ruidoso Downs  
Ruling Date: 9/2/2016

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-RUI-189

Action Type: Initial Ruling

Ruling:

Trainer Victor Rodriguez Flores, having been duly notified, having failed to appear, and having his hearing held in absentia before the Board of Stewards on September 2, 2016, for working an unlicensed groom on August 14, 2016 at Ruidoso

For this rule violation, the Board of Stewards assessed Victor Rodriguez Flores a penalty in the amount of two hundred dollars (\$200). The fine is to be paid on or before October 2, 2016 in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

Victor Rodriguez Flores is found to be in violation of the following rules:

**16.47.1.8 L (1)(C)** 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: who is unqualified, by experience or otherwise, to perform the activities for which a license is required, or who fails to pass an examination prescribed by the commission. **16.47.1.8 (G)(I) NMAC:** Which states in pertinent part "The employment of any unlicensed person under the jurisdiction of the Commission is prohibited". **16.47.1.8. 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. **16.47.1.8 A.** A person as defined by Subsection P, Paragraph (7) of 15.2.1.7 NMAC shall not participate in pari mutuel racing under the jurisdiction of the commission, or be employed by an association who is a gaming operator, without a valid license issued by the commission. **(1)** License categories shall include the following and others as may be established by the commission: **GROUP A** - racing participants eligible for an optional annual or triennial year license to include owners, trainers, veterinarians, jockeys, and stable name registrations. **GROUP B** - associations, racing professionals, concession operators, contractors, and managerial racing officials. **GROUP C** - supervisory racing officials. **GROUP D** - persons employed by the association, or employed by a person or concern contracting with the association, to provide a service or commodity, which requires their presence in a restricted area, or anywhere on association grounds while pari mutuel wagering is being conducted. **GROUP E** - racetrack employees and authorized agents **(2)** Persons required to be licensed shall submit a completed application on forms furnished by the commission and accompanied by the required fee. The following fees are assessed for the issuance of the specified licenses. In addition to license fees listed herein, \$20.00 is assessed for each identification picture and badge. **15.2.1.8 B. (1)** The commission shall regulate each race meeting and the persons who participate in each race meeting

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**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."

**15.2.1.9(B)(4)(d)** Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

*Debra Smith*

*Jim G.D.*

*[Signature]*





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-190  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: SEDILLO, TONY E

License Type: 2015 3 Year Trainer      Applicant Id: 16607  
Date of Birth: 03/01/1958      License Number: 280236

urinary bladder. (iv) Drugs with a major effect on CNS vasculature or smooth muscle of visceral organs. (c) Antihistamines, which do not have a significant CNS depressant effect (This does not include H1 blocking agents, which are listed in class 5) (d) Mineralocorticoid drugs. (e) Skeletal muscle relaxants. (f) Anti-inflammatory drugs--those that may reduce pain as a consequence of their anti-inflammatory actions, which include. (i) Non-steroidal anti-inflammatory drugs (NSAIDs), except for those specifically approved by the commission. (ii) Corticosteroids (glucocorticoids). (iii) Miscellaneous anti-inflammatory agent (g) Anabolic or androgenic steroids and other drugs. (h) Less potent diuretics. (i) Cardiac glycosides and antiarrhythmics including. (i) Cardiac glycosides. (ii) Antiarrhythmics agents (exclusive of lidocaine, bretylium and propranolol). (iii) Miscellaneous cardiotonic drugs. (j) Topical anesthetics--agents not available in injectable formulations (k) Antidiarrheal agents. (l) Miscellaneous drugs including: (i) expectorants with little or no other pharmacologic action; (ii) stomachics; (iii) mucolytic agents.

**15.2.6.9 C. PENALTY RECOMMENDATIONS: (3)** Category C penalties will be assessed for violations due to the presence of a drug carrying a category C penalty and overages for NSAID's and furosemide (all concentrations are for measurements in serum or plasma). Recommended penalties for category C violations, overages for permitted NSAID's and furosemide are as follows: **Trainer 1st offense (365-day period) in any jurisdiction in the following levels, the penalty is a minimum of a written warning to maximum fine of \$500:**

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**6.47.1.8. 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.

**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 Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-190  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: SEDILLO, TONY E

License Type: 2015 3 Year Trainer Applicant Id: 16607

Date of Birth: 03/01/1958 License Number: 280236

Ruling # 2016-RUI-190

Action Type: Initial Ruling

Ruling:

Trainer **Tony Sedillo** having appeared before the Board Of Stewards on September 3, 2016, and having waived his right to a 10 day of a formal hearing regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the therapeutic drug Phenylbutazone (class 4 penalty category C drug), found in test sample **NM22702** taken from the **winner "Kingsbury"** following **the 2nd race, on July 30, 2016 at Ruidoso Downs in Ruidoso, NM.**

The original lab report indicated a finding of Phenylbutazone at **2.42 micrograms per milliliter in the blood.** Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Tony Sedillo.** **Owners Javier Beltran and Tommy Galvez were duly notified.** They are the owners of record for horse "**Kingsbury**" which was the subject of the Phenylbutazone positive.

For this **first Class 4C medication violation** in a 365- day period issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed **Tony Sedillo** a penalty as follows:

**1.A (\$200) two hundred dollar fine to paid on or before October 3, 2016,** in accordance with 15.2.1.9(B) (7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Which states that "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 fine in prescribed time may result in an immediate suspension.

**Tony Sedillo** 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".

**15.2.6.11(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."

**16.47.1.8. 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.

**15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES:** The following outline describes the types of substances placed in each category. This list shall be publicly posted in the offices of the official veterinarian and the racing secretary. **(4) Class 4** - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so. Groups of drugs assigned to this category include the following. **(a)** Non-opiate drugs which have a mild central analgesic effect. **(b)** Drugs affecting the autonomic nervous system, which do not have prominent CNS, cardiovascular, or respiratory effects. **(i)** Drugs used solely as topical vasoconstrictors or decongestants. **(ii)** Drugs used as gastrointestinal antispasmodics **(iii)** Drugs used to void the



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-191  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: LOREFICE, MATTHEW FRANCIS  
License Type: 2015 3 Year Trainer Applicant Id: 157943  
Date of Birth: 07/19/1978 License Number: 279094

Ruling # 2016-RUI-191

Action Type: Initial Ruling

Ruling:

Trainer, MATTHEW FRANCIS LOREFICE, having appeared before the Board of Stewards on September 3, 2016 and waived his rights to a 10 day notice of a formal hearing for possessing needles and syringes during a compliance search by the investigator in the stable area on September 3, 2016 and found to be in violation of NMRC rules.

For this violation, considering mitigating circumstances and the clean record of MATTHEW FRANCIS LOREFICE, the Board of Stewards issue the following penalty:

1. A 30 day suspension of any/all New Mexico Racing Commission licenses, effective immediately September 3, 2016 through October 3, 2016 inclusive
2. A (\$750.00) seven hundred and fifty dollar fine. The fine is to paid on or before October 3, 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.

**Mitigating circumstances: Mr. Lorefice admitted to the substances in the syringes being vodka and Dexamethasone and were used at a rodeo on a barrel horse. Also, upon observation of items (needles and syringes) appeared to be used. Mr. Lorefice was apologetic and realized the mistake he had made.**

Additionally, during the applicable term of this suspension, all horses owned, trained, or under the care of MATTHEW FRANCIS LOREFICE are denied further entry pending per 15.2.1.9 (C)(21)(c) NMAC.

**15.2.1.9 B(3)** Summary suspension. (a) If the stewards determine that a licensee's actions constitute an immediate danger to the public health, safety, or welfare, the stewards may summarily suspend the license pending a hearing.

**15.2.6.8 B(3)** No person shall possess on any location under the jurisdiction of the commission any of the following unless approved by the commission: (a) any drug which is a narcotic, stimulant, or depressant, or any other substance or medication that has been prepared or packaged for injection by a hypodermic syringe, or hypodermic needle; (b) any hypodermic syringe, hypodermic needle or any equipment associated with the aid of intravenous administration

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**6.47.1.8. 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.

**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."



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-192  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: CASTANON, MIKE LEE

License Type: 2016 3 Year Owner      Applicant Id: 11664  
Date of Birth: 07/18/1978      License Number: 283333

Ruling # 2016-RUI-192

Action Type: Initial Ruling

Ruling:

Owner, Mike Lee Castanon, having appeared before the Board of Stewards on September 3, 2016 and waived his rights to a 10 day notice of a formal hearing for possessing multiple needles, multiple syringes, multiple injectable medications, and a pump during a compliance search by the investigator in the stable area on September 3, 2016.

For this violation, the Board of Stewards issue Mike Lee Castanon the following penalty:

1. A fine of (\$1,500.00) of fifteen hundred dollars to paid within 30 days on or before October 3, 2016, or before reinstatement of license.
2. A suspension of 180 days of any/all New Mexico Racing Commission licenses effective immediately September 3, 2016 through March 2, 2017 inclusive.

During his suspension Mike Lee Castanon is denied access to all grounds under the jurisdiction of the New Mexico Racing Commission in accordance with 15.2.1.9(C)(21)(a) NMAC.

Additionally, during the applicable term of this suspension, all horses owned, trained, or under the care of Mike Lee Castanon are denied further entry pending per 15.2.1.9 (C)(21)(c) NMAC.

Mike Lee Castanon has been found in violation of:

**15.2.1.9 B(3)** Summary suspension. (a) If the stewards determine that a licensee's actions constitute an immediate danger to the public health, safety, or welfare, the stewards may summarily suspend the license pending a hearing.

**15.2.6.8 B(3)** No person shall possess on any location under the jurisdiction of the commission any of the following unless approved by the commission: (a) any drug which is a narcotic, stimulant, or depressant, or any other substance or medication that has been prepared or packaged for injection by a hypodermic syringe, or hypodermic needle; (b) any hypodermic syringe, hypodermic needle or any equipment associated with the aid of intravenous administration

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**6.47.1.8. 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.

**16.47.1.8(L)(1)(h) NMAC:** Which states in pertinent part "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued or order disciplinary measures, if the applicant is a person whose conduct or reputation may reflect on the honesty and integrity of horse racing 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 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 #: 2016-RUI-193  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: SAENZ, PAULINE D.

License Type: 2016 3 Year Owner      Applicant Id: 27791  
Date of Birth: 04/06/1983      License Number: 282642

Ruling # 2016-RUI-193

Action Type: Initial Ruling

Ruling:

Owner Pauline D Saenz having appeared before the Board of Stewards on August 28, 2016, for a hearing scheduled for September 2, 2016, and waived her right to a 10 day notice of hearing regarding her failure to disclose her arrest/criminal history on her license application dated June 6, 2016. After hearing the testimony and evidence presented the Board of Stewards hereby issue a warning letter and Ms. Saenz was advised to disclose her full criminal/arrest record on any future licensing applications.

Pauline D Saenz is found to be in violation of:

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**6.47.1.8. 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.

**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."

**16.47.1.8 (L)(1)** 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: (a) has been convicted of a felony; (d) has failed to disclose or falsely states any information required in the application

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-194  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: BOSQUEZ, ALEJANDRO

License Type: 2016 1 Year Groom      Applicant Id: 13067  
Date of Birth: 04/05/1966      License Number: 282812

Ruling # 2016-RUI-194

Action Type: Initial Ruling

Ruling:

Groom Alejandro Bosquez, having been duly notified, failing to appear, and had hearing held in absentia before the Board of Stewards on September 3, 2016 at Ruidoso Downs, for failing to disclose criminal/arrest history on his licensing application.

Alejandro Bosquez is found to be in violation of:

16.47.1.8 (L)(1) 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: (a) has been convicted of a felony (d) has failed to disclose or falsely states any information required in the application

5.2.1.9 B. (4) d) Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

16.47.1.8 (L)(1) 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: (a) has been convicted of a felony; (d) has failed to disclose or falsely states any information required in the application

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (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.

6.47.1.8. 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.

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."

For this violation, the Board of Stewards issue Alejandro Bosquez a penalty of the following:

A revocation of any/all New Mexico Racing Commission licenses, effective immediately September 3, 2016, and is referred to the New Mexico Racing Commission for their further review prior to any further application.

Alejandro Bosquez is denied access to all grounds under the jurisdiction of the New Mexico Racing Commission in accordance with 15.2.1.9(C)(21)(a) NMAC.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-195  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: DOMINGUEZ, MARIO R  
License Type: 2016 3 Year Owner Applicant Id: 32896  
Date of Birth: 02/14/1981 License Number: 281034

Ruling # 2016-RUI-195

Action Type: Initial Ruling

Ruling:

**Owner Mario Dominguez**, having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **September 3, 2016**, for working for trainer **Javier Roman Jr.** as a groom, a capacity for which he was not licensed on **August 19, 2016 at Ruidoso Downs.**

**Mario Dominguez** was found to be in violation of Commission rules. Thus, for this **FIRST EMPLOYMENT VIOLATION IN A 365 DAY PERIOD WORKING AS A GROOM WITH A VALID LICENSE IN A CAPACITY IN WHICH HE WAS NOT LICENSED FOR**, the Board of Stewards assessed **Mario Dominguez** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or **before a October 3, 2016** in accordance with 15.2.3.8(B)(3)(I) NMAC.

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:

**16.47.1.8 L (1)(C)** 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: who is unqualified, by experience or otherwise, to perform the activities for which a license is required, or who fails to pass an examination prescribed by the commission.

**16.47.1.10 (C)(4) NMAC:** Which states in pertinent part "A Trainer must provide 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.

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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. 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.

**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."

**15.2.1.9(B)(4)(d)** Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-196  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: ROMAN, JR JAVIER

License Type: Trainer Applicant Id: 17950

Date of Birth: 08/20/1980 License Number: 81908

Ruling # 2016-RUI-196

Action Type: Initial Ruling

Ruling:

Trainer Javier Roman Jr., having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on September 3, 2016, for working an owner, Javier Roman Jr., as a groom, a capacity for which he was not licensed on August 19, 2016 at Ruidoso Downs.

Javier Roman Jr was found to be in violation of Commission rules. Thus, for this FIRST EMPLOYMENT VIOLATION IN A 365 DAY PERIOD, WORKING A GROOM WITH A VALID LICENSE IN A CAPACITY IN WHICH HE WAS NOT LICENSED FOR, the Board of Stewards assessed Javier Roman Jr a penalty in the amount of one hundred dollars (\$100.00). The fine is to be paid on or before a October 3, 2016 in accordance with 15.2.3.8(B)(3)(I) NMAC.

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:

**16.47.1.8 L (1)(C)** 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: who is unqualified, by experience or otherwise, to perform the activities for which a license is required, or who fails to pass an examination prescribed by the commission.

**16.47.1.10 (C)(4) NMAC:** Which states in pertinent part "A Trainer must provide 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.

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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. 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.

**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."

**15.2.1.9(B)(4)(d)** Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

By Order of The Ruidoso Downs Stewards





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-197  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: ASCENCIO, JR ARNULFO

License Type: 2015 3 Year Trainer      Applicant Id: 23046  
Date of Birth: 04/28/1981      License Number: 279126

Ruling # 2016-RUI-197

Action Type: Initial Ruling

Ruling:

Trainer **Arnulfo Ascencio Jr** having been duly notified, failing to appear, and had his hearing held in absentia before the Board of Stewards on **September 3, 2016**, for missing Lasix for his entry, **Red Dirt Rookie**, which resulted in a late scratch and mutuel refund in **the first race on August 15, 2016 at Ruidoso Downs**.

For this violation, the Board of Stewards assessed **Arnulfo Ascencio Jr** a fine in the amount of **two hundred dollars, (\$200.00)**. The fine is to be paid on or before **October 3, 2016**, 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. Trainer **Arnulfo Ascencio Jr** is found to be in violation of.

15.2.6.8 (E) (3) The use of furosemide (Salix) shall be permitted under the following circumstances on association grounds where a detention barn is not utilized: furosemide (Salix) shall be administered no less than three hours prior to post time for a quarter horse race for which the horse is entered and no less than four hours prior to post time for a thoroughbred race for 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 (Salix) dosage administered shall not exceed 250 milligrams nor be less than 100 milligrams for horses entered in a quarter horse race and the furosemide (Salix) dosage administered shall not exceed 500 milligrams nor be less than 150 milligrams for horses entered in a thoroughbred race; the trainer of the treated horse shall cause to be delivered to the official veterinarian or his/her 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 (Salix) was administered to the entered horse; the dosage amount of furosemide (Salix) administered to the entered horse; the printed name and signature of the attending licensed veterinarian who administered the furosemide (Salix).

15.2.6.9(E) (2) The use of furosemide (Salix) shall be permitted under the following circumstances on association grounds where a detention barn is utilized: furosemide (Salix) shall be administered no less than three hours prior to post time for a quarter horse race for which the horse is entered and no less than four hours prior to post time for a thoroughbred race for which a horse is entered. A horse qualified for a furosemide (Salix) administration must be brought to the detention barn one hour prior to the three-hour or four-hour 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.

15.2.4.9 (B)(4) No horse may be scratched from an overnight race without approval of the stewards. (5) In overnight races, horses that are physically disabled or sick shall be permitted to be scratched first. Should horses representing more than eight betting interests in the daily double or exotic wagering races, or horses representing more than eight betting interests in any other overnight race, remain in after horses with physical excuses have been scratched, then owners or trainers may be permitted at scratch time to scratch horses without physical excuses down to such respective minimum numbers for such races. This privilege shall be determined by lot if an excessive number of owners or trainers wish to scratch their horses.

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (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.

6.47.1.8. 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.

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."

15.2.1.9(B)(4)(d) Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

*Tialet Smith*

*Arnulfo Ascencio Jr*      *Kenner River*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-198  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: GONZALEZ, JUAN M.

License Type: Applicant Id: 31692  
Date of Birth: 10/10/1964 License Number:

Ruling # 2016-RUI-198

Action Type: Initial Ruling

Ruling:

Trainer Juan M Gonzalez having been duly notified and having appeared with translator Juan Carlos Gonzalez before the Board of Stewards on September 3, 2016 for a hearing continued from September 2, 2016 regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive during out of competition testing taken at Ruidoso Downs on July 19, 2016, for the Class 3B drug "clenbuterol" detected in horse "Sic Em Sixes", sample #NC32532 and confirmed in the split sample by Texas A&M.

J Patricia Gonzalez is the owner of record for horse "Sic Em Sixes" and was duly notified about the clenbuterol positive.

Juan M Gonzalez is found to be in violation of:

15.2.6.9(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules" 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."

**15.2.6.9 MEDICATIONS AND PROHIBITED SUBSTANCESK. OUT OF COMPETITION TESTING** K. OUT OF COMPETITION TESTING: (1) A horse may be subject to out of competition testing without advance notice if the horse is (a) on the grounds of a racetrack or training center under the jurisdiction of the commission; (b) under the care or control of a trainer or owner licensed by the commission; or (c) any horse whose papers are filed in the racing office; or (d) has been nominated to a stakes race. (2) This rule applies to prohibited substances, practices and procedures as follows (a) penalty class A drugs as listed with the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC; (b) blood doping agents including, but not limited to, erythropoietin (EP), darbepoetin, oxyglobin, hempure, aranasep or any substance that abnormally enhances the oxygenation of body tissues; (c) gene doping agents or the non-therapeutic use of genes, genetic elements, or cells that have the capacity to enhance athletic performance or produce analgesia. (d) clenbuterol present in a sample in a horse not previously placed on the veterinarian's list pursuant to Paragraph (9) of Subsection D of 15.2.6.9 NMAC; and (e) androgenic-anabolic steroids present in a sample in a horse not previously placed on the



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Ruling #: 2016-RUI-198  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: GONZALEZ, JUAN M.

License Type: Applicant Id: 31692  
Date of Birth: 10/10/1964 License Number:

veterinarian's list pursuant to Paragraph (9) of Subsection D of 15.2.6.9 NMAC (3) The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC. Positive tests for substances identified under Paragraph (5) of Subsection D of 15.2.6.9 NMAC will be placed on the steward's list as per the conditions set forth in that subsection (4) Horses to be tested may be selected at random, with probable cause or as determined by the commission or an agent of the commission.(5) The commission veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, may at any time take a urine, blood or hair sample from a horse for this purpose. (6) Split samples shall be collected in accordance with Subsection B of 15.2.6.10 NMAC and shall be secured and made available for further testing in accordance with Subsection D of 15.2.6.10 NMAC.(7) All horses selected for testing must be presented to the commission veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, at the time designated, unless the trainer or owner provides verification of an extenuating circumstance that makes it impossible. Penalties for violations of this subsection include (a) any horse not presented for testing upon notification absent extenuating circumstances will be placed immediately on the steward's list for a minimum of 60 days and shall be subject to all the requirements set forth in Paragraph (7) of Subsection D of 15.2.6.9 NMAC; and (b) the licensed trainer of a horse not presented for testing absent extenuating circumstances shall be 180 days (8) Any licensee who does not comply with the rule or the commission veterinarian for a sample may be subject to disciplinary action.(9) Cooperation with the commission veterinarian, or any licensed veterinarian or licensed veterinary technician authorized by the commission, includes (a) assisting in the immediate location and identification of the horse selected for out of competition testing; and (b) assisting the veterinarian in properly procuring the samples.(10) Out of competition samples will be sent to the official laboratory of the commission, or another laboratory as designated by the commission, with reports made in accordance with the provisions of the medication rules and the penalty provisions therefore.

**15.2.6.9 C. PENALTY RECOMMENDATIONS:**(2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows: **First Lifetime offense (365-day period) in any jurisdiction:** A minimum 15-day suspension to a maximum 60-day suspension and \$500 to \$1,000 fine.(2) Category B penalties will be assessed against a **owner** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:**First Lifetime offense (365-day period) in any jurisdiction:** Disqualification, loss of purse and horse must pass a commission-approved examination before becoming eligible to be entered.



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Ruling #: 2016-RUI-198  
Track Ruidoso Downs  
Ruling Date: 9/3/2016

Licensee: GONZALEZ, JUAN M.

License Type: Applicant Id: 31692

Date of Birth: 10/10/1964 License Number:

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**6.47.1.8. 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.

**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."

For this **first out of competition testing Class 3B medication violation** in a 365- day period issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed **Juan M Gonzalez** a penalty as follows.

**1. A 30 day suspension of all NMRC licenses beginning September 14, 2016, through October 14, 2016, inclusive.**

**2. (\$750) seven hundred and fifty dollar fine to paid on or before October 3 , 2016,** in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

**3. The horse "Sic Em Sixes"** was placed on the Steward's list on July 28, 2016, for a period of 60 days, during this period he is denied further entry and papers must be removed from the racing office, in addition he must pass a commission approved veterinary examination with a clean blood/urine sample. The sample must be negative for any and all prohibited substances including clenbuterol before being eligible to enter. A positive finding will result in an additional 60 days on the Stewards list with the same requirements.

During said time of applicable suspension, **Juan M Gonzalez** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a-b) 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 **Juan M Gonzalez** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-199  
Track Ruidoso Downs  
Ruling Date: 9/4/2016

Licensee: TAYLOR, CORY CARL

License Type: 2014 3 Year Owner      Applicant Id: 28934  
Date of Birth: 06/22/1988      License Number: 164092

Ruling # 2016-RUI-199

Action Type: Initial Ruling

Ruling:

The **Owners license and assistant starter licenses** issued to **Cory Taylor** are hereby rescinded without prejudice as he has appeared before the Board of Stewards on September 4, 2016, at Ruidoso Downs and stated that he no longer owns horses and is no longer working in the capacity of assistant starter.

This ruling is in accordance with:

**16.47.1.8 (M)(2) NMAC:** Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license".

**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 Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-200  
Track Ruidoso Downs  
Ruling Date: 9/4/2016

Licensee: TAYLOR, CORY CARL

License Type: Applicant Id: 28934

Date of Birth: 06/22/1988 License Number:

Ruling # 2016-RUI-200

Action Type: Initial Ruling

Ruling:

issued in error

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-201  
Track Ruidoso Downs  
Ruling Date: 9/4/2016

Licensee: HERNANDEZ-SANDOVAL, PEDRO  
License Type: 2014 3 Year Trainer      Applicant Id: 31154  
Date of Birth: 12/04/1964      License Number: 112079

Ruling # 2016-RUI-201

Action Type: Initial Ruling

Ruling:

Trainer **Pedro Hernandez Sandoval** having been duly notified and waived his right to a 10 day notice of hearing and the right to appeal appeared **before the Board Of Stewards on September 4, 2016, regarding a lab report from UC/Davis** (official testing laboratory for the NMSRC), for a confirmed positive for the Class 3B drug "clenbuterol" detected in horse "**Martins Pleasure**", who **finished second place in the 8th race, on August 7, 2016 at Ruidoso Downs. Test Sample #: NM22824.** Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by **Pedro Hernandez Sandoval.**

**Dinty L. Martin** is the owner of record for horse "**Martins Pleasure**" and was duly notified about the clenbuterol positive.

**Pedro Hernandez Sandoval** 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".

**15.2.6.9(P) NMAC:** Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules"

**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."

**15.2.3.8 B (3) (f)** The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

**15.2.3.8 B (1) (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.

**6.47.1.8. 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.



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**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."

For this **second Class 3B medication violation** in a 365- day period issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed **Pedro Hernandez Sandoval** a penalty as follows:

1. **A 60 day suspension of all NMRC licenses to be run consecutively from ruling 2016-DAA-144 starting October 14, 2016, through December 13, 2016.**
2. **A (\$1,000) one thousand dollar fine to paid on or before September 4, 2016,** in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Which states that "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 fine in prescribed time may result in an immediate suspension.
3. **3. The horse "Martins Pleasure"** was placed on the Steward's list on August 22, 2016, for a period of 60 days, during this period he is denied further entry and papers must be removed from the racing office, in addition he must pass a commission approved veterinary examination with a clean blood/urine sample. The sample must be negative for any and all prohibited substances including clenbuterol before being eligible to enter. A positive finding will result in an additional 60 days on the Stewards list with the same requirements.

**Loss of purse from the 8th race, on August 7, 2016 at Ruidoso Downs and the horse "Martins Pleasure"** is HEREBY DISQUALIFIED AND ORDERED UNPLACED. The new order of finish is as follows

1. Naci Knothead
2. Mesquall
3. Si El
4. Alarming Way
5. Summer's Echo
6. Getting You Home
7. Bang It Out
8. My Man Merlion

**UNPLACED "Martins Pleasure"**

During said time of applicable suspension, **Pedro Hernandez Sandoval** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a-b) 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 **Pedro Hernandez Sandoval** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.