



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-34
Track Ruidoso Downs
Ruling Date: 6/19/2016

Licensee: RODRIGUEZ, ISIDRO JAVIER

License Type: 2014 3 Year Trainer Applicant Id: 31743
Date of Birth: 07/06/1970 License Number: 112137

Ruling # 2016-RUI-34

Action Type: Initial Ruling

Ruling:

Trainer **Isidro Rodriguez** having been duly notified and having appeared with interpreter Xavier Rodriguez **before the Board Of Stewards on June 18, 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 "**Our Mister Hero**", who **finished 2nd place in the ninth race, on April 8, 2016 at Sunland Park Racetrack. Test Sample #: NM18820.** (The original lab report indicated a finding of clenbuterol at **200 pg/ml in the urine**. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by Isidro Rodriguez. **Owner Thomas Davila was duly notified and failed to appear for the hearing.** He is the owner of record for horse "**Our Mister Hero**" which was the subject of the clenbuterol positive. **Isidro Rodriguez** 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." **15.2.6.9(D) O. SUSPENSION OF AUTHORIZED MEDICATION: (1)** After a public meeting that has been noticed in accordance with the Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA, 1978, the commission may, for any cause, temporarily suspend the authorized administration to a horse entered to race of any drug, substance or medication that is otherwise permitted under the commission rules **(2)** The temporary suspension of the authorized administration of a drug, substance or medication may be for a race, breed, or race meeting, provided all horses in the same race compete under the same conditions **(3)** The commission shall notify in writing the racing association, the trainer's organization, and licensed veterinarians of any temporary suspension of authorization to administer a drug, substance or medication to a horse entered to race. The written notification shall at minimum: **(a)** state the authorized medication whose use is temporarily suspended, **(b)** the period of time for which the use of the authorized medication is temporarily suspended, and **(c)** whether the temporary suspension is for a specific breed or a race meeting **(4)** A suspension of authorization to administer a drug, substance or medication to a horse entered to race shall not exceed 12 months. **15.2.1 (P) (15) "Prohibited substance"** is any chemical which, when administered to a horse can create a change in the normal physiological performance of the horse's racing ability, such as narcotics, anesthetics, depressants, anti-convulsants, tranquilizers, hallucinogenics and stimulants; when administered to a horse, may interfere with testing procedures and is not a therapeutic medication. **15.2.3.8(B)(3)(k) NMAC:** Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish." **15.2.5.13(E)(4)(d)** Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification. For this first 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 **Isidro Rodriguez** a penalty as follows: **1. A 15 day suspension of all NMRC licenses beginning June 29, 2016 through July 14, 2016, inclusive.**

2. A (\$500) five hundred dollar fine to paid on or before July 19, 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. The horse "Our Mister Hero" must pass a commission approved veterinary examination before being eligible to enter.

4. Loss of purse from the ninth race, on April 8, 2016 at Sunland Park Racetrack and the horse "Our Mr. Hero" is HEREBY DISQUALIFIED AND ORDERED UNPLACED. The new order of finish is as follows

1) This Lady Is On Fire 2) Straw Dawg 3) Gre Justplainazoom 4) Tropical Corona 5) First Mapuche 6) Hc Colour Me Chico 7) Fantastic Ability 8) Rivers Bend UNPLACED Our Mr. Hero

During said time of applicable suspension, **Isidro Rodriguez** 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 **Isidro Rodriguez** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c) NMAC**.

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-35
Track Ruidoso Downs
Ruling Date: 6/20/2016

Licensee: MARTHA, JAVIER OMAR

License Type: 2015 3 Year Jockey Applicant Id: 116752
Date of Birth: 11/29/1997 License Number: 278598

Ruling # 2016-RUI-35

Action Type: Initial Ruling

Ruling:

Jockey, **Javier Martha**, having been summoned and having appeared before the Board of Stewards **on June 19, 2016**, for careless riding (bore in under right handed whip impeding horses) which resulted in the disqualification of his mount **"Brooks Signature" from fifth place to seventh place in the first race, June 11, 2016, at Ruidoso Downs.**

For this violation, the Board of Stewards assessed **Javier Martha** a suspension of 3 race days (June 27, 2016, July 1, 2016 and July 2, 2016).

Javier Martha is allowed to ride designated races.

This ruling is in accordance with:

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

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

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

Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.5.13(E)(2)(a) NMAC:

which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-36
Track Ruidoso Downs
Ruling Date: 6/20/2016

Licensee: ORTIZ, JOSE ENRIQUE

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

Ruling # 2016-RUI-36

Action Type: Initial Ruling

Ruling:

Jockey Jose Enrique Ortiz, having been summoned and appeared before the Board of Stewards on June 18, 2016, for failure to make sufficient effort to control his mount "Msg Wicked Hussey" in the 9th Race June 17, 2016, at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, Jose Enrique Ortiz, a fine in the amount of one hundred dollars, (\$100.00).

The fine is to be paid on or before July 20, 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:

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

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

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

Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.5.13(E)(2)(a) NMAC:

which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-37
Track: Ruidoso Downs
Ruling Date: 6/20/2016

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-37

Action Type: Initial Ruling

Ruling:

The Jockey License (184677) issued to BONIFACIO XAVIER QUIROZ is hereby suspended effective immediately for being suspended in another jurisdiction (ruling SHRP4925).

BONIFACIO XAVIER QUIROZ is found to be in violation of:

16.47.1.8 (L)(1) (e) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF LICENSE: has been found in violation of rules governing racing in this state or other jurisdictions (BONIFACIO XAVIER QUIROZ must be reinstated by Texas and must appear before the Board of Stewards prior to any future licensing)

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

Which states that "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued or order disciplinary measures, if the applicant is a person whose conduct or reputation may reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds. The fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule."

15.2.3.8(B)(1)(d) NMAC:

Which state in pertinent part that "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 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-38
Track Ruidoso Downs
Ruling Date: 6/24/2016

Licensee: PERRY, SAMANTHA GRAYCE
License Type: 2016 3 Year Jockey Applicant Id: 158830
Date of Birth: 07/20/1994 License Number: 282112

Ruling # 2016-RUI-38

Action Type: Initial Ruling

Ruling:

Jockey **Samantha Perry**, having been summoned and appeared before the Board of Stewards on **June 20, 2016**, for careless riding which resulted in the disqualification of her mount **"Schileena Rose" from second place to fifth place in the third race, June 19, 2016, at Ruidoso Downs** (bore in sharply under right handed whip, impeding inside horses).

For this violation, the Board of Stewards assessed **Samantha Perry** a suspension of 5 race days (July 1, 2016, July 2, 2016, July 3, 2016, July 4, 2016, and July 8, 2016).

Samantha Perry is allowed to ride designated races.

This ruling is in accordance with:

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

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

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

Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.5.13(E)(2)(a) NMAC:

which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-39
Track Ruidoso Downs
Ruling Date: 6/25/2016

Licensee: SOLIS, EDGAR F.

License Type: Owner

Applicant Id: 46060

Date of Birth: 08/21/1989

License Number: 81498

Ruling # 2016-RUI-39

Action Type: Initial Ruling

Ruling:

Owner Edgar Solis having been duly notified and having failed to appear, had his hearing held in absentia before the Board of Stewards on June 18, 2016 for working for trainer Taurino Gutierrez as a groom on May 27, 2016, at Ruidoso Downs (without being properly licensed in that capacity). Furthermore Edgar Solis has no horses in his ownership on file in the racing office, which is a requirement to be licensed as an owner.

For these rule violations, the Board of Stewards hereby assess Edgar Solis a penalty in the amount of one hundred dollars (\$100.00). The fine is to be paid on or before July 25, 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. Furthermore the New Mexico Racing Commission Owner License, # 184584, issued to Edgar Solis is hereby rescinded (pending proof of ownership).

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

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

Which states that "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued or order disciplinary measures, if the applicant is a person whose conduct or reputation may reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit to, disruptive or intemperate behavior or behavior which exposes otherS to danger anywhere on the racetrack grounds. The fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule."

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-40
Track Ruidoso Downs
Ruling Date: 6/25/2016

Licensee: GUTIERREZ, TAURINO GONZALEZ
License Type: Trainer Applicant Id: 33130
Date of Birth: 01/04/1956 License Number: 81840

Ruling # 2016-RUI-40

Action Type: Initial Ruling

Ruling:

Trainer Taurino Gutierrez, having been duly notified and responded by phone before the Board of Stewards on **June 18, 2016**, for employing **Edgar Solis** in a capacity for which he was not licensed for, a groom while holding an owners license **May 27, 2016 at Ruidoso Downs**.

Taurino Gutierrez was found to be in violation of Commission rules. Thus, for this **FIRST EMPLOYMENT VIOLATION IN A 365 DAY PERIOD FOR WORKING HELP WITH A VALID LICENSE IN A CAPACITY IN WHICH THEY WERE NOT LICENSED FOR**, the Board of Stewards assessed **Taurino Gutierrez** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or **before July 25, 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)(1)(d) NMAC:

Which state in pertinent part that "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."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87112

Ruling #: 2016-RUI-41
Track: Ruidoso Downs
Ruling Date: 6/25/2016

Licensee: SAENZ, MIGUEL HERRERA
License Type: 2014 3 Year Owner Applicant Id: 35089
Date of Birth: 05/12/1960 License Number: 122400

Ruling # 2016-RUI-41

Action Type: Initial Ruling

Ruling:

Owner Miguel Herrera Saenz having been duly notified and having failed to appear, had his hearing held in absentia before the Board of Stewards on June 18, 2016 for working for trainer Tony Sedillo as a groom on May 27, 2016, at Ruidoso Downs (without being properly licensed in that capacity).

For these rule violations, the Board of Stewards hereby assess Miguel Herrera Saenz a penalty in the amount of one hundred dollars (\$100.00). The fine is to be paid on or before July 25, 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.

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

15.2.3.8(B)(1)(d) NMAC:

Which state in pertinent part that "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."

By Order of The Ruidoso Downs Stewards

Dwight Smith

[Signature]

[Signature]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-42
Track Ruidoso Downs
Ruling Date: 6/25/2016

Licensee: SAENZ, MIGUEL HERRERA

License Type: Applicant Id: 35089

Date of Birth: 05/12/1960 License Number:

Ruling # 2016-RUI-42

Action Type: Initial Ruling

Ruling:

issued in error

By Order of The Ruidoso Downs Stewards

Walter Smith

Jim Cohn

Ruben Perez



Nr Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-43
Track Ruidoso Downs
Ruling Date: 6/25/2016

Licensee: VURGUN, ZAFER
License Type: 2013 3 year Trainer Applicant Id: 27833
Date of Birth: 08/05/1966 License Number: 65407

Ruling # 2016-RUI-43

Action Type: Initial Ruling

Ruling:

Zafer Vurgun having been duly notified, failing to appear, and had his hearing held in absentia before the Board of Stewards on **June 18, 2016**, for failure to declare equipment (**blinkers off**) at time of entry for the horse **Our Hearts on Fire**, entered in **the second race**, on **June 4, 2016, at Ruidoso Downs**. Licensee is found to be in violation of Commission rules.

For this rule violation, the Board of Stewards assessed a penalty in the amount of **fifty dollars (\$50.00)**. The fine is to be paid on or before **July 25, 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. Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-44
Track Ruidoso Downs
Ruling Date: 6/25/2016

Licensee: QUINTANILLA, JR. ARMANDO
License Type: Trainer Applicant Id: 34471
Date of Birth: 09/25/1959 License Number: 81837

Ruling # 2016-RUI-44

Action Type: Initial Ruling

Ruling:

Trainer ARMANDO QUINTANILLA, JR. having appeared before the Board of Stewards on **June 18, 2016**, for failing to have registration papers on file for entry Eyes Perfecto, which resulted in a late scratch out of the **first race on June 4, 2016 at Ruidoso Downs.**

For this violation, the Board of Stewards assessed ARMANDO QUINTANILLA, JR. a fine in the amount **of two hundred dollars (\$200.00)**. The fine is to be paid on or before **July 25, 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 ARMANDO QUINTANILLA, JR. is found to be in violation of.

16.47.1.10(C)(7) NMAC:

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

15.2.5.12(B) NMAC:

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

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-45
Track Ruidoso Downs
Ruling Date: 6/25/2016

Licensee: VALERIANO, JR JOEL MORALES
License Type: 2014 3 Year Trainer Applicant Id: 31964
Date of Birth: 06/26/1989 License Number: 194702

Ruling # 2016-RUI-45

Action Type: Initial Ruling

Ruling:

Trainer Joel Valeriano having appeared before the Board of Stewards on June 19, 2016, for administering medication (via nebulizer) to your horse, Miss Valiant Hero V, within 24 hours prior to the 7th race on May 28, 2016, which resulted in a late scratch and mutual refunding.

For this violation, the Board of Stewards assessed Joel Valeriano a fine in the amount of five hundred dollars, (\$500.00). The fine is to be paid on or before July 25, 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 Joel Valeriano is found to be in violation of.

16.47.1.8 (L)(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”;

15.2.6.9 (D) (3) Except as otherwise provided by this part, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this part during the 24-hour period before post time for the race in which the horse is entered.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that “The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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 87112

Ruling #: 2016-RUI-46
Track: Ruidoso Downs
Ruling Date: 6/25/2016

Licensee: WOOD, G. BLANE

License Type: Trainer Applicant Id: 16940
Date of Birth: 11/22/1958 License Number: 81851

Ruling # 2016-RUI-46

Action Type: Initial Ruling

Ruling:

Trainer G. Blane Wood having been duly notified and appeared before the Board of Stewards on **June 19, 2016**, for failure to declare equipment (**Flipping Halter On**) at time of entry for **Miss Racy Runaway**, entered in **the tenth race**, on **May 28, 2016, at Ruidoso Downs**. Furthermore **G. Blane Wood** also failed to declare change of equipment (**Flipping Halter Off**) at time of entry for **Runaway With It**, entered in the **fifth race on May 29, 2016, at Ruidoso Downs**. Licensee is found to be in violation of Commission rules.

For this rule violation, the Board of Stewards assessed a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to be paid on or before **July 25, 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.
Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B)(0) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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 19 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 certified check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-47
Track Ruidoso Downs
Ruling Date: 6/25/2016

Licensee: HERNANDEZ, JORGE LUIS
License Type: 2015 3 Year Trainer Applicant Id: 45724
Date of Birth: 06/30/1993 License Number: 279730

Ruling # 2016-RUI-47

Action Type: Initial Ruling

Ruling:

Trainer **JORGE LUIS HERNANDEZ** having been duly notified, failing to appear, and had his hearing held in absentia before the Board of Stewards on **June 18, 2016**, for failing to have registration papers on file for entry **Eyesbenturbocharged**, which resulted in a late scratch out of the **third race on May 30, 2016 at Ruidoso Downs**.

For this violation, the Board of Stewards assessed **JORGE LUIS HERNANDEZ** a fine in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **July 25, 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 **JORGE LUIS HERNANDEZ** is found to be in violation of.

16.47.1.10(C)(7) NMAC:

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

15.2.5.12(B) NMAC:

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

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-48
Track Ruidoso Downs
Ruling Date: 6/25/2016

Licensee: FINCHER, TODD W.
License Type: 2016 3 Year Trainer Applicant Id: 27974
Date of Birth: 08/27/1971 License Number: 280641

Ruling # 2016-RUI-48

Action Type: Initial Ruling

Ruling:

Trainer Todd Fincher, having been duly notified, failing to appear, and having his hearing held in absentia before the Board of Stewards on **June 19, 2016**, for employing **Juan Mata** in a capacity for which he was not licensed for, a groom while holding an owners license **May 30, 2016 at Ruidoso Downs**.

Todd Fincher was found to be in violation of Commission rules. Thus, for this **FIRST EMPLOYMENT VIOLATION IN A 365 DAY PERIOD FOR WORKING HELP WITH A VALID LICENSE IN A CAPACITY IN WHICH THEY WERE NOT LICENSED FOR**, the Board of Stewards assessed **Todd Fincher** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or **before July 25, 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)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-49
Track Ruidoso Downs
Ruling Date: 6/26/2016

Licensee: GOMEZ, PEDRO GONSALEZ
License Type: Trainer Applicant Id: 30693
Date of Birth: 01/08/1962 License Number: 152949

Ruling # 2016-RUI-49

Action Type: Initial Ruling

Ruling:

Trainer **Pedro Gomez** having been duly notified, failing to appear, and had his hearing held in absentia before the Board of Stewards on **June 20, 2016**, for failing to have entries **Mr Chiks Perry and Kassino Kash** on grounds at the designated time which resulted in scratches in the **fourth and fourteenth races on May 29, 2016 at Ruidoso Downs**.

For this violation, the Board of Stewards assessed **Pedro Gomez** a fine in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **July 26, 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 **Pedro Gomez** is found to be in violation of.

15.2.5.12 HORSES INELIGIBLE: A horse shall be ineligible to start in a race when:
A. it is not stabled on the grounds of the association or present by the time established by the commission;

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-50
Track Ruidoso Downs
Ruling Date: 6/26/2016

Licensee: REYNOLDS, CODY

License Type: 2013 3 Year Trainer Applicant Id: 34144
Date of Birth: 07/23/1981 License Number: 42698

Ruling # 2016-RUI-50

Action Type: Initial Ruling

Ruling:

Trainer **Cody Reynolds** having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **June 20, 2016**, for failure to appear in paddock with entry, **Cloud Wrangler**, which resulted in a late scratch and mutuel refund in the **ninth race on June 4, 2016 at Ruidoso Downs**

For this rule violation, the Board of Stewards assessed **Cody Reynolds** a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before **July 26, 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.

Licensee is found to be in violation of:

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

16.47.1.10(C)(18) NMAC:

Which states in pertinent part that "A trainer is responsible for the horse entered as to eligibility and weight or other allowances claimed."

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-51
Track Ruidoso Downs
Ruling Date: 6/26/2016

Licensee: RODRIGUEZ, ISIDRO JAVIER
License Type: 2014 3 Year Trainer Applicant Id: 31743
Date of Birth: 07/06/1970 License Number: 112137

Ruling # 2016-RUI-51

Action Type: Initial Ruling

Ruling:

Trainer Isidro Rodriguez having been duly notified, waived his 10 day notice of hearing, and appeared before the Board of Stewards on **June 12, 2016**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for **Dominyuns Pride**, entered in **the third race**, on **June 4, 2016, at Ruidoso Downs**.

For this rule violation, the Board of Stewards assessed a penalty in the amount off **fifty dollars (\$50.00)**. The fine is to paid on or before **July 26, 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. Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

By Order of The Ruidoso Downs Stewards

Healith Smith

Ranber Sun

Jon Costa



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-52
Track Ruidoso Downs
Ruling Date: 6/26/2016

Licensee: MUSE, BRIAN E
License Type: 2014 3 Year Trainer Applicant Id: 4674
Date of Birth: 05/07/1966 License Number: 101972

Ruling # 2016-RUI-52

Action Type: Initial Ruling

Ruling:

Trainer Brian Muse, having been duly notified, waived his right to a 10 day notice of hearing, appeared before the Board of Stewards on **June 20, 2016**, for employing **Cesar Alvarez** in a capacity for which he was not licensed for, a groom while holding an owners license **June 12, 2016 at Ruidoso Downs**.

Brian Muse was found to be in violation of Commission rules. Thus, for this **FIRST EMPLOYMENT VIOLATION IN A 365 DAY PERIOD FOR WORKING HELP WITH A VALID LICENSE IN A CAPACITY IN WHICH THEY WERE NOT LICENSED FOR**, the Board of Stewards assessed **Brian Muse** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or **before July 26, 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)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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

Violet Smith

Frank [Signature]

Jim [Signature]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-53
Track Ruidoso Downs
Ruling Date: 6/26/2016

Licensee: ALVAREZ, CESAR

License Type: 2015 3 Year Owner Applicant Id: 157414

Date of Birth: 08/09/1977 License Number: 277468

Ruling # 2016-RUI-53

Action Type: Initial Ruling

Ruling:

Owner Cesar Alvarez, having been duly notified and represented by trainer Brian Muse before the Board of Stewards on June 20, 2016, for working in a capacity for which he was not licensed for, a groom while holding an owners license June 12, 2016 at Ruidoso Downs.

Cesar Alvarez was found to be in violation of Commission rules. Thus, for this **FIRST EMPLOYMENT VIOLATION IN A 365 DAY PERIOD FOR WORKING WITH A VALID LICENSE IN A CAPACITY IN HE WAS NOT LICENSED FOR**, the Board of Stewards assessed Cesar Alvarez a penalty in the amount of one hundred dollars (\$100.00). The fine is to be paid on or before July 26, 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)(18) NMAC:

Which states in pertinent part that "A trainer is responsible for the horse entered as to eligibility and weight or other allowances claimed."

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-54
Track Ruidoso Downs
Ruling Date: 6/26/2016

Licensee: GUTIERREZ, GERARDO

License Type: Trainer Applicant Id: 28971
Date of Birth: 06/12/1988 License Number: 81809

Ruling # 2016-RUI-54

Action Type: Initial Ruling

Ruling:

T Trainer Gerardo Gutierrez having been duly notified and having appeared with interpreter Fernando Ramirez before the Board Of Stewards on June 24, 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 "Cut Loose Taylor", who finished 1st place in the fourth race, on March 27, 2016 at Sunland Park Racetrack. Test Sample #: NM16624. (The original lab report indicated a finding of clenbuterol at 414 pg/ml in the urine and confirmed in the split sample by Texas A&M at 472±61 pg/ml in the urine.)

Owner Javier M. Chavez was duly notified and failed to appear for the hearing. He is the owner of record for horse "Cut Loose Taylor" which was the subject of the clenbuterol positive.

Gerardo Gutierrez 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." 15.2.6.9(D) O. SUSPENSION OF AUTHORIZED MEDICATION: (1) After a public meeting that has been noticed in accordance with the Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA, 1978, the commission may, for any cause, temporarily suspend the authorized administration to a horse entered to race of any drug, substance or medication that is otherwise permitted under the commission rules (2) The temporary suspension of the authorized administration of a drug, substance or medication may be for a race, breed, or race meeting, provided all horses in the same race compete under the same conditions (3) The commission shall notify in writing the racing association, the trainer's organization, and licensed veterinarians of any temporary suspension of authorization to administer a drug, substance or medication to a horse entered to race. The written notification shall at minimum: (a) state the authorized medication whose use is temporarily suspended, (b) the period of time for which the use of the authorized medication is temporarily suspended, and (c) whether the temporary suspension is for a specific breed or a race meeting (4) A suspension of authorization to administer a drug, substance or medication to a horse entered to race shall not exceed 12 months. 15.2.1 (P) (15) "Prohibited substance" is any chemical which, when administered to a horse can create a change in the normal physiological performance of the horse's racing ability, such as narcotics, anesthetics, depressants, anti-convulsants, tranquilizers, hallucinogenics and stimulants; when administered to a horse, may interfere with testing procedures and is not a therapeutic medication. 15.2.3.8(B)(3) (k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish." 15.2.5.13(E)(4)(d) Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification.

For this first 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 Gerardo Gutierrez a penalty as follows:

1. A 30 day suspension of all NMRC licenses beginning July 4, 2016 through August 3, 2016, inclusive.

2.A (\$750) seven hundred and fifty dollar fine to paid on or before July 26, 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. The horse "Cut Loose Taylor" must pass a commission approved veterinary examination before being eligible to enter.

4. Loss of purse from the fourth race, on March 27, 2016 at Sunland Park Racetrack and the horse "Cut Loose Taylor", is HEREBY DISQUALIFIED AND ORDERED UNPLACED. The new order of finish is as follows.

1) Jm Apollo 2) Hc Colour Me Chico 3) Inchoho Tes 4) Skunktail Eagle 5) Bp Painted Mariah 6) Wrs Quick Regards 7) The Big Wagon UNPLACED "Cut Loose Taylor".

During said time of applicable suspension Gerardo Gutierrez 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 Gerardo Gutierrez are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

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

Violent Smith

Barbara Kuehn

John



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-55
Track Ruidoso Downs
Ruling Date: 6/26/2016

Licensee: MARCOM, JR ROY LEE

License Type: 2015 3 Year Trainer Applicant Id: 34249
Date of Birth: 03/09/1944 License Number: 279236

Ruling # 2016-RUI-55

Action Type: Initial Ruling

Ruling:

Trainer Roy Marcom, having been duly notified and appeared before the Board of Stewards on **June 24, 2016**, for employing owner **Eduardo Olivas** in a capacity for which he was not licensed for, a groom while holding an owners license **June 6, 2016 at Ruidoso Downs**.

Roy Marcom was found to be in violation of Commission rules. Thus, for this **FIRST EMPLOYMENT VIOLATION IN A 365 DAY PERIOD FOR EMPLOYING HELP WITH A VALID LICENSE IN A CAPACITY IN WHICH THEY WERE NOT LICENSED FOR**, the Board of Stewards assessed **Roy Marcom** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or **before July 26, 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)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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

Volot Smith *Kenner Smith* *Julie Coates*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-56
Track Ruidoso Downs
Ruling Date: 6/26/2016

Licensee: OLIVAS, EDUARDO G

License Type: 2015 3 Year Owner Applicant Id: 28954
Date of Birth: 10/13/1965 License Number: 277100

Ruling # 2016-RUI-56

Action Type: Initial Ruling

Ruling:

Owner Eduardo Olivas having been duly notified and having failed to appear, had his hearing held in absentia before the Board of Stewards on June 24, 2016 for working for trainer Roy Marcom as a groom on June 6, 2016, at Ruidoso Downs (without being properly licensed in that capacity).

For these rule violations, the Board of Stewards hereby assess Eduardo Olivas a penalty in the amount of one hundred dollars (\$100.00). The fine is to be paid on or before July 26, 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.

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

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)(18) NMAC:

Which states in pertinent part that "A trainer is responsible for the horse entered as to eligibility and weight or other allowances claimed."

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-57
Track Ruidoso Downs
Ruling Date: 6/26/2016

Licensee: ALDAVAZ, SR JAIME G.

License Type: 2016 3 Year Trainer Applicant Id: 19631
Date of Birth: 05/01/1971 License Number: 281163

Ruling # 2016-RUI-57

Action Type: Initial Ruling

Ruling:

Trainer Jaime G. Aldavaz Sr. having been duly notified and appeared before the Board of Stewards on **June 24, 2016**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for **Ruybe James**, entered in **the third race**, on **June 5, 2016, at Ruidoso Downs**.

For this rule violation, the Board of Stewards assessed a penalty in the amount off **fifty dollars (\$50.00)**. The fine is to paid on or before **July 26, 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. Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-58
Track: Ruidoso Downs
Ruling Date: 6/26/2016

Licensee: VURGUN, ZAFER

License Type: 2013 3 year Trainer Applicant Id: 27833
Date of Birth: 08/05/1966 License Number: 65407

Ruling # 2016-RUI-58

Action Type: Initial Ruling

Ruling:

Traner **Zafer Vurgun** having been duly notified and appeared before the Board of Stewards on June 25, 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 May 9, 2016, for the Class 3B drug "**stanozolol**" detected in sample # **NC26151 taken from** horse "**Watch Me Runaway C**". Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by **Zafer Vurgun. Owner Raul N Melendez Jr was duly notified and failed to appear for the hearing**. He is the owner of record for horse "**Watch Me Runaway C**" which was the subject of the "**stanozolol**" positive for out of competition testing. **Zafer Vurgun** 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(H) ANDROGENIC-ANABOLIC STEROIDS(1)** No AAS shall be permitted in test sample collected from racing horses except for residues of the major metabolite of **nandrolone**, and the naturally occurring substances **boldenone** and testosterone at concentrations less than the indicated thresholds. **(3)** Any other anabolic steroids are prohibited in racing horses. **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: (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, aranesp 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 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. 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 Zafer Vurgun a penalty as follows. 1. A 30 day suspension of all NMRC licenses beginning July 5, 2016 through August 8, 2016, inclusive. 2. (\$750) seven hundred and fifty dollar fine to paid on or before July 27, 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 "Watch Me Runaway C" is hereby placed in the Stewards list for a period of 30 days (June 26, 2016 through July 25, 2016 inclusive), 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. During said time of applicable suspension, Zafer Vurgun 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 Zafer Vurgun are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC. 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."

Travis Smith

Kenner Kwee

Jim Cook



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-59
Track Ruidoso Downs
Ruling Date: 6/27/2016

Licensee: LOPEZ, JOAQUIN N.
License Type: Trainer Applicant Id: 35349
Date of Birth: 06/28/1989 License Number: 81901

Ruling # 2016-RUI-59

Action Type: Initial Ruling

Ruling:

Trainer Joaquin Lopez having been duly notified, failing to appear, and having his hearing held in absentia before the Board of Stewards on June 25, 2016, for failing to prevent the administration of a medication (via dose syringe) to your horse, Just Bettybetty Good, within 24 hours prior to the 2nd race on April 17, 2016 at Sunland Park, which resulted in a late scratch and mutual refunding. For this violation, the Board of Stewards assessed Joaquin Lopez a fine in the amount of five hundred dollars, (\$500.00). The fine is to be paid on or before July 26, 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 Joaquin Lopez is found to be in violation of.

16.47.1.8 (L)(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”;

15.2.6.9 (D) (3) Except as otherwise provided by this part, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this part during the 24-hour period before post time for the race in which the horse is entered.

15.2.6.11 TRAINER RESPONSIBILITY: The purpose of this subsection is to identify responsibilities of the trainer that pertain specifically to the health and wellbeing of horses in their care.

A. The trainer is responsible for the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug, medication or other substance, including permitted medication in excess of the maximum allowable level, in such horses. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable level, as reported by a Commission-approved laboratory, is prima facie evidence of a violation of this rule. In the absence of substantial evidence to the contrary, the trainer is responsible.

B. A trainer shall prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.

16.47.1.10(C)(18) NMAC:

Which states in pertinent part that “A trainer is responsible for the horse entered as to eligibility and weight or other allowances claimed.”

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that “The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-60
Track Ruidoso Downs
Ruling Date: 6/27/2016

Licensee: MENDEZ, SAUL MANRIQUEZ
License Type: 2015 3 Year Owner Applicant Id: 27071
Date of Birth: 12/07/1957 License Number: 279513

Ruling # 2016-RUI-60

Action Type: Initial Ruling

Ruling:

Owner Saul Mendez having been duly notified and responded by phone before the Board of Stewards on June 25, 2016, for administering a medication (via dose syringe) to your horse, Just Bettybetty Good, within 24 hours prior to the 2nd race on April 17, 2016 at Sunland Park, which resulted in a late scratch and mutual refunding.

For this violation, the Board of Stewards assessed Saul Mendez a fine in the amount of five hundred dollars, (\$500.00). The fine is to be paid on or before July 26, 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 Saul Mendez is found to be in violation of.

16.47.1.8 (L)(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”;

15.2.6.9 (D) (3) Except as otherwise provided by this part, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this part during the 24-hour period before post time for the race in which the horse is entered.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that “The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-61
Track: Ruidoso Downs
Ruling Date: 6/27/2016

Licensee: BANKSTON, JIMMY ALLEN
License Type: 2015 3 Year Trainer Applicant Id: 7347
Date of Birth: 03/18/1952 License Number: 277454

Ruling # 2016-RUI-61

Action Type: Initial Ruling

Ruling:

Trainer Jimmy Bankston having been duly notified and appeared before the Board of Stewards on **June 25, 2016**, for failure to declare equipment (**Blinkers On**) at time of entry for **My Man Merlion**, entered in **the seventh race**, on **June 6, 2016, at Ruidoso Downs**.

For this rule violation, the Board of Stewards assessed a penalty in the amount off **fifty dollars (\$50.00)**. The fine is to paid on or before **July 27, 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. Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-62
Track Ruidoso Downs
Ruling Date: 6/27/2016

Licensee: REYNOLDS, CODY

License Type: 2013 3 Year Trainer Applicant Id: 34144
Date of Birth: 07/23/1981 License Number: 42698

Ruling # 2016-RUI-62

Action Type: Initial Ruling

Ruling:

Trainer **Cody Reynolds** having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **June 25, 2016**, for failure have his entry, **Master Time**, in the paddock 20 minutes before post for the **first race on June 10, 2016 at Ruidoso Downs**

For this rule violation, the Board of Stewards assessed **Cody Reynolds** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **July 27, 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.

Licensee is found to be in violation of:

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-63
Track Ruidoso Downs
Ruling Date: 6/27/2016

Licensee: BURELSMITH, JR EMMITT B.
License Type: 2016 3 Year Trainer Applicant Id: 34458
Date of Birth: 07/09/1943 License Number: 280440

Ruling # 2016-RUI-63

Action Type: Initial Ruling

Ruling:

Trainer **Emmit Burelsmith** having been duly notified, waived his right to a ten day notice of hearing, and appeared before the Board of Stewards on **June 25, 2016**, for failure have his entry, **Red Dread**, in the paddock 20 minutes before post for the **fourth race on June 13, 2016 at Ruidoso Downs**

For this rule violation, the Board of Stewards assessed **Emmit Burelsmith** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **July 27, 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.

Licensee is found to be in violation of:

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-64
Track Ruidoso Downs
Ruling Date: 6/27/2016

Licensee: GAMA, GABRIEL
License Type: 2014 3 Year Trainer Applicant Id: 11071
Date of Birth: 03/24/1957 License Number: 112116

Ruling # 2016-RUI-64

Action Type: Initial Ruling

Ruling:

Trainer **Gabriel Gama** having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **June 25, 2016**, for failure to appear in paddock with entry, **Firstsixesjess**, which resulted in a late scratch and mutuel refund in the **second race on June 10, 2016 at Ruidoso Downs**

For this rule violation, the Board of Stewards assessed **Gabriel Gama** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **July 27, 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.

Licensee is found to be in violation of:

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-65
Track Ruidoso Downs
Ruling Date: 6/27/2016

Licensee: GILES, FRANCISCO GUILLERMO
License Type: 2016 3 Year Jockey Applicant Id: 31073
Date of Birth: 05/15/1990 License Number: 281968

Ruling # 2016-RUI-65

Action Type: Initial Ruling

Ruling:

Jockey **Francisco Giles**, having been summoned and having appeared before the Board of Stewards on **June 27, 2016**, for failure to have sufficient control of his mount "**Born a Ruler**" shortly after the start of the **9th Race on June 26, 2016**, at Ruidoso Downs, which resulted in the disqualification of his mount from first place to fifth place (bore out sharply impeding outside horses) 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 **July 27, 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:

15.2.5.13(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)(a) NMAC:

Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

15.2.5.13(E)(2)(a) NMAC:

Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-66
Track Ruidoso Downs
Ruling Date: 7/1/2016

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

Ruling # 2016-RUI-66

Action Type: Initial Ruling

Ruling:

T Trainer **Jose F Ramirez** having been duly notified, **represented by council Frita Howard McSwane** and having **appeared with interpreter Francisco Ramirez before the Board Of Stewards on July 1, 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 "**Blueskiesnrainbows**", who **finished first place in the 2nd race, on April 15, 2016 at Sunland Park Racetrack in Sunland Park, NM. Test Sample #: NM18933**

(The original lab report indicated a finding of clenbuterol at **180pg/ml in the urine** and confirmed in the split sample by **Industrial Laborties at 167±16 pg/ml in the urine.**)

Owner Julio Islas was duly notified and failed to appear for the hearing. He is the owner of record for horse "**Blueskiesnrainbows**" which was the subject of the clenbuterol positive.

Jose F Ramirez 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." 15.2.6.9(D) O. SUSPENSION OF AUTHORIZED MEDICATION: (1) After a public meeting that has been noticed in accordance with the Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA, 1978, the commission may, for any cause, temporarily suspend the authorized administration to a horse entered to race of any drug, substance or medication that is otherwise permitted under the commission rules (2) The temporary suspension of the authorized administration of a drug, substance or medication may be for a race, breed, or race meeting, provided all horses in the same race compete under the same conditions (3) The commission shall notify in writing the racing association, the trainer's organization, and



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-66
Track Ruidoso Downs
Ruling Date: 7/1/2016

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

licensed veterinarians of any temporary suspension of authorization to administer a drug, substance or medication to a horse entered to race. The written notification shall at minimum: (a) state the authorized medication whose use is temporarily suspended, (b) the period of time for which the use of the authorized medication is temporarily suspended, and (c) whether the temporary suspension is for a specific breed or a race meeting (4) A suspension of authorization to administer a drug, substance or medication to a horse entered to race shall not exceed 12 months. 15.2.1 (P) (15) **"Prohibited substance"** is any chemical which, when administered to a horse can create a change in the normal physiological performance of the horse's racing ability, such as narcotics, anesthetics, depressants, anti-convulsants, tranquilizers, hallucinogenics and stimulants; when administered to a horse, may interfere with testing procedures and is not a therapeutic medication. 15.2.3.8(B)(3)(k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish." 15.2.5.13(E)(4)(d) Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification.

For this **first 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 **Jose F Ramirez** a penalty as follows:

1. A 15 day suspension of all NMRC licenses beginning July 11, 2016 through July 26, 2016, inclusive.
2. A (\$500) five hundred dollar fine to paid on or before July 31, 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. The horse "Blueskiesnrainbows"** must pass a commission approved veterinary examination before being eligible to enter. **4. Loss of purse from the 2nd race, on April 15, 2016 at Sunland Park Racetrack in Sunland Park, NM, and the horse "Blueskiesnrainbows", is HEREBY DISQUALIFIED AND ORDERED UNPLACED.** The new order of finish is as follows. **1) Major Bites 2) Miner Sam 3) Belvedere 4) Volcoms Quest 5) Mt Spit Shine 6) Lr Royal Flush 7) Coronas Dawn 8) Shurnuf Shimmer 9) Corona Jaguar UNPLACED "Blueskiesnrainbows"**

, During said time of applicable suspension Jose F Ramirez 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 **Jose F Ramirez** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC. 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-66
Track Ruidoso Downs
Ruling Date: 7/1/2016

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

personal check."

By Order of The Ruidoso Downs Stewards

Debit Smith *Ruidoso Downs* *JR* *AK*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-67
Track Ruidoso Downs
Ruling Date: 7/1/2016

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

Ruling # 2016-RUI-67

Action Type: Initial Ruling

Ruling:

Trainer **Jose F Ramirez** having been duly notified, represented by council **Frita Howard McSwane** and having **appeared with interpreter Francisco Ramirez before the Board Of Stewards on July 1, 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 "**Groupie James**", who **finished second place in the 8th race, on April 15, 2016 at Sunland Park Racetrack in Sunland Park, NM, Test Sample #: NM18949**

The original lab report indicated a finding of clenbuterol at **156 pg/ml in the urine** and confirmed in the split sample by **Industrial Laborties at 151±16 pg/ml in the urine.**

Owner Carlos B Trujillo was duly notified and failed to appear for the hearing. He is the owner of record for horse "**Groupie James**" which was the subject of the clenbuterol positive. **Jose F Ramirez** 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." **15.2.6.9(D) O. SUSPENSION OF AUTHORIZED MEDICATION: (1)** After a public meeting that has been noticed in accordance with the Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA, 1978, the commission may, for any cause, temporarily suspend the authorized administration to a horse entered to race of any drug, substance or medication that is otherwise permitted under the commission rules **(2)** The temporary suspension of the authorized administration of a drug, substance or medication may be for a race, breed, or race meeting, provided all horses in the same race compete under the same conditions **(3)** The commission shall notify in writing the racing association, the trainer's organization, and licensed veterinarians of any temporary suspension of authorization to administer a drug, substance or medication to a horse entered to race. The written notification shall at minimum: **(a)** state the authorized medication whose use is temporarily suspended, **(b)** the period of time for which the use of



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-67
Track Ruidoso Downs
Ruling Date: 7/1/2016

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

the authorized medication is temporarily suspended, and (c) whether the temporary suspension is for a specific breed or a race meeting (4) A suspension of authorization to administer a drug, substance or medication to a horse entered to race shall not exceed 12 months. 15.2.1 (P) (15) "**Prohibited substance**" is any chemical which, when administered to a horse can create a change in the normal physiological performance of the horse's racing ability, such as narcotics, anesthetics, depressants, anti-convulsants, tranquilizers, hallucinogenics and stimulants; when administered to a horse, may interfere with testing procedures and is not a therapeutic medication. 15.2.3.8(B)(3)(k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish." 15.2.5.13(E)(4)(d) Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification.

For this **first 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 **Jose F Ramirez** a penalty as follows:

1. **A 15 day suspension of all NMRC licenses beginning July 27, 2016 through August 11, 2016, inclusive.**
2. **A (\$500) five hundred dollar fine to paid on or before July 31, 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. **The horse "Groupie James"** must pass a commission approved veterinary examination before being eligible to enter.
4. **Loss of purse from the 2nd race, on April 15, 2016 at Sunland Park Racetrack in Sunland Park, NM, and the horse "Groupie James", is HEREBY DISQUALIFIED AND ORDERED UNPLACED.** The new order of finish is as follows. 1) Willie Be Fired 2) Royal Senator 3) Fast Courage 4) Separate First Card 5) Clearwater Beach 6) Scrimshaw Wrangler 7) Only I Rock 8) Copas Special Tee **UNPLACED "Groupie James",**
6. **Loss of purse from the 5th race, on April 30, 2016 at Sunland Park Racetrack in Sunland Park, NM, and the horse "Groupie James", is HEREBY DISQUALIFIED AND ORDERED UNPLACED.** The new order of finish is as follows. 1) Eyema Blue Wagon 2) Jess Prize Me 3) Valorus 4) Imperial Eagle 5) Gamey Tee Cos 6) Willie Be Fired 7) Lord Fa 8) Mojo Perry 9) Stella Lou **UNPLACED "Groupie James",**

15.2.6.9(B)(8) When the penalty assessed against a licensee for a medication or drug violation in a trial race results in a disqualification or loss of purse, or both, the licensee is subject to the same penalties for any race for which the trial race was conducted.

During said time of applicable suspension Jose F Ramirez 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 **Jose F Ramirez** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC. 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-67
Track Ruidoso Downs
Ruling Date: 7/1/2016

Licensee: RAMIREZ, SR JOSE FRANCISCO

License Type: 2016 3 Year Trainer Applicant Id: 11970

Date of Birth: 09/01/1950 License Number: 280810

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-68
Track Ruidoso Downs
Ruling Date: 7/1/2016

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

Ruling # 2016-RUI-68

Action Type: Initial Ruling

Ruling:

Trainer **Albert Franco** having been duly notified, **represented by council Frita Howard McSwane and appeared before the Board Of Stewards on July 1, 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 "**Eyema Blue Wagon**", who **finished first place in the 5th race, on April 15, 2016 at Sunland Park Racetrack in Sunland Park, NM, Test Sample #: NM18942** The original lab report indicated a finding of clenbuterol at **168 pg/ml in the urine** and confirmed in the split sample by **Industrial Laborties at 170±16 pg/ml in the urine.**

Owner Roy Sanchez was duly notified and failed to appear for the hearing. He is the owner of record for horse "**Eyema Blue Wagon**" which was the subject of the clenbuterol positive.

Albert Franco 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."

15.2.6.9(D) O. SUSPENSION OF AUTHORIZED MEDICATION: (1) After a public meeting that has been noticed in accordance with the Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA, 1978, the commission may, for any cause, temporarily suspend the authorized administration to a horse entered to race of any drug, substance or medication that is otherwise permitted under the commission rules **(2)** The temporary suspension of the authorized administration of a drug, substance or medication may be for a race, breed, or race meeting, provided all horses in the same race compete under the same conditions **(3)** The commission shall notify in writing the racing association, the trainer's organization, and licensed veterinarians of any temporary suspension of authorization to administer a drug, substance or medication to a horse entered to race. The written notification shall at minimum: **(a)** state the authorized medication whose use is temporarily suspended, **(b)** the period of time for which the use of the authorized medication is temporarily suspended, and **(c)** whether the



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-68
Track Ruidoso Downs
Ruling Date: 7/1/2016

Licensee: FRANCO, ALBERT SERRANO
License Type: 2016 1 Year Duplicate Applicant Id: 32103
Date of Birth: 07/12/1977 License Number: 281237

temporary suspension is for a specific breed or a race meeting (4) A suspension of authorization to administer a drug, substance or medication to a horse entered to race shall not exceed 12 months.15.2.1 (P) (15) "**Prohibited substance**" is any chemical which, when administered to a horse can create a change in the normal physiological performance of the horse's racing ability, such as narcotics, anesthetics, depressants, anti-convulsants, tranquilizers, hallucinogenics and stimulants; when administered to a horse, may interfere with testing procedures and is not a therapeutic medication. **15.2.3.8(B)(3)(k) NMAC:** Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."**15.2.5.13(E)(4)(d)** Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification.

For this **first 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 **Albert Franco** a penalty as follows:

1. **A 15 day suspension of all NMRC licenses beginning July 11, 2016 through July 26, 2016, inclusive.**
2. **A (\$500) five hundred fine to paid on or before July 31, 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. **The horse "Eyema Blue Wagon"** must pass a commission approved veterinary examination before being eligible to enter.
4. **Loss of purse from in the 5th race, on April 15, 2016 at Sunland Park Racetrack in Sunland Park, NM, and the horse "Eyema Blue Wagon",** is HEREBY DISQUALIFIED AND ORDERED UNPLACED. The new order of finish is as follows.1) Stella Lou 2) Shezaliknthemselfies 3) Here Comes Callan 4) Famous JB 5) Strauss 6) Just A Little Wagon 7) Incindiary **UNPLACED** "Eyema Blue Wagon",
6. **Loss of purse from the 5th race, on April 30, 2016 at Sunland Park Racetrack in Sunland Park, NM, and the horse "Eyema Blue Wagon",** is HEREBY DISQUALIFIED AND ORDERED UNPLACED. The new order of finish is as follows. 1) Jess Prize Me 2) Valorus 3) Imperial Eagle 4) Gamey Tee Cos 5) Willie Be Fired 6) Lord Fa 7) Mojo Perry 8) Stella Lou **UNPLACED** "Eyema Blue Wagon" and "Groupie James (2016-RUI-67)".

15.2.6.9(B)(8) When the penalty assessed against a licensee for a medication or drug violation in a trial race results in a disqualification or loss of purse, or both, the licensee is subject to the same penalties for any race for which the trial race was conducted.

During said time of applicable suspension **Albert Franco** 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 **Albert Franco** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-68
Track Ruidoso Downs
Ruling Date: 7/1/2016

Licensee: FRANCO, ALBERT SERRANO

License Type: 2015 3 Year Trainer Applicant Id: 32103
Date of Birth: 07/12/1977 License Number: 280123

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

David Smith *[Signature]* *[Signature]*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-69
Track Ruidoso Downs
Ruling Date: 7/2/2016

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

Ruling # 2016-RUI-69

Action Type: Initial Ruling

Ruling:

Trainer Juventino Ruiz having been duly notified, failing to appear, and having his hearing held in absentia before the Board of Stewards on **July 1, 2016**, for failure to declare equipment (**Blinkers On**) at time of entry for **Lethal Volcom**, entered in **the fourth race**, on **June 12, 2016, at Ruidoso Downs**.

For this rule violation, the Board of Stewards assessed a penalty in the amount off **fifty dollars (\$50.00)**. The fine is to paid on or before **August 1, 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. Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-70
Track Ruidoso Downs
Ruling Date: 7/2/2016

Licensee: VARGAS, JOSE LUIS

License Type: 2013 3 year Trainer Applicant Id: 31960
Date of Birth: 10/16/1986 License Number: 68546

Ruling # 2016-RUI-70

Action Type: Initial Ruling

Ruling:

Trainer Jose Luis Vargas, having been duly notified and appeared before the Board of Stewards on **July 2, 2016**, for entering the ineligible horse, **Dd Miracle Mountain, (papers not stamped New Mexico Bred) in the fourth race on June 13, 2016**, at Ruidoso Downs.

For this violation, the Board of Stewards assessed **Jose Luis Vargas** a fine in the amount of **two hundred dollars, (\$200.00)** and the horse **"Dd Miracle Mountain" is hereby disqualified and ordered unplaced in the fourth race on June 13, 2016. The new order of finish is as follows**

1. Mischka Brown
2. Regal Vike
3. Tygers Version
4. Pdl Factor
5. Etal
6. Red Dread
7. Go Daddy Gone

UNPLACED: Dd Miracle Mountain

The fine is to be paid on or before **August 1, 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

Jose Luis Vargas is found to be in violation of.

16.47.1.10 (C) (18) Trainers are responsible for horses entered as to eligibility and weight or other allowances claimed;

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

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

15.2.3.8(B)(1)(d) NMAC: Which state in pertinent part that "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."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-71
Track Ruidoso Downs
Ruling Date: 7/3/2016

Licensee: GONZALEZ-VIGI, EFRAIN

License Type: 2014 3 Year Jockey Applicant Id: 33494
Date of Birth: 11/21/1967 License Number: 163263

Ruling # 2016-RUI-71

Action Type: Initial Ruling

Ruling:

Jockey, **Efrain Gonzalez-Vigi**, having been summoned, failing to appear, and having his hearing held in absentia before the Board of Stewards **on July 3, 2016**, for careless riding which resulted in the disqualification of his mount **"One Sweet Rojo" from third place to seventh place in the third race, June 27, 2016, at Ruidoso Downs. (Bore out under left handed whip into the path of #8 causing him check and lose ground causing him a better placement).**

For this violation, the Board of Stewards assessed **Efrain Gonzalez-Vigi** a suspension of 5 race days (July 11, 2016, July 15, 2016, July 16, 2016, July 17, 2016, and July 18, 2016).

Efrain Gonzalez-Vigi is allowed to ride designated races.

This ruling is in accordance with:

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

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

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

Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.5.13(E)(2)(a) NMAC:

which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards

2016-RUI-72

ISSUED IN
ERROR



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-73
Track Ruidoso Downs
Ruling Date: 7/4/2016

Licensee: GUTIERREZ, GERARDO
License Type: Trainer Applicant Id: 28971
Date of Birth: 06/12/1988 License Number: 81809

Ruling # 2016-RUI-73

Action Type: Initial Ruling

Ruling:

Trainer Gerardo Gutierrez having been duly notified and having appeared with translator Jose Ignacio De Herrera **before the Board Of Stewards on July 4, 2016, regarding a lab report from UC/Davis** (official testing laboratory for the NMSRC), for a confirmed positive for the prohibited foreign drug, clenbuterol (class 3 penalty category B drug) Phenylbutazone, and Flunixin (staking violation, penalty class 3 category C drug) found in test sample **NM16618** taken from the winner "**Untangled Vines**" following **the 2nd race, on March 27, 2016 at Sunland Park Racetrack in Sunland Park, NM.**

(The original lab report indicated a finding of clenbuterol at **212 picograms per milliliter in the urine, Phenylbutazone at 3.33 micrograms per milliliter in the blood, Flunixin at 16.4 nanograms per milliliter in the blood in sample NM16618.** Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by Gerardo Gutierrez.)

Javier M. Chaves is the owner of record for horse "**Untangled Vines**" which was the subject of the clenbuterol positive.

Gerardo Gutierrez 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."

15.2.6.9(D)

O. SUSPENSION OF AUTHORIZED MEDICATION: (1) After a public meeting that has been noticed in accordance with the Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA, 1978, the commission may, for any cause, temporarily suspend the authorized administration to a horse entered to race of any drug, substance or medication that is otherwise permitted under the commission rules (2) The temporary suspension of the authorized administration of a drug, substance or medication may be for a race, breed, or race meeting, provided all horses in the same race compete under the same conditions (3) The commission shall notify in writing the racing association, the trainer's organization, and licensed veterinarians of any temporary



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-73
Track Ruidoso Downs
Ruling Date: 7/4/2016

Licensee: GUTIERREZ, GERARDO

License Type: Trainer Applicant Id: 28971
Date of Birth: 06/12/1988 License Number: 81809

suspension of authorization to administer a drug, substance or medication to a horse entered to race. The written notification shall at minimum: (a) state the authorized medication whose use is temporarily suspended, (b) the period of time for which the use of the authorized medication is temporarily suspended, and (c) whether the temporary suspension is for a specific breed or a race meeting (4) A suspension of authorization to administer a drug, substance or medication to a horse entered to race shall not exceed 12 months.

15.2.1 (P) (15) "**Prohibited substance**" is any chemical which, when administered to a horse can create a change in the normal physiological performance of the horse's racing ability, such as narcotics, anesthetics, depressants, anti-convulsants, tranquilizers, hallucinogenics and stimulants; when administered to a horse, may interfere with testing procedures and is not a therapeutic medication.

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

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

15.2.6.9 C. PENALTY RECOMMENDATIONS: (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: **Third Lifetime offense (365-day period) in any jurisdiction** Disqualification, loss of purse, \$5,000 fine and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered

For this **second Class 3B medication violation** in a 365- day period (refer to rulings 2016-RUI-54, 4) issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed **Gerardo Gutierrez** a penalty as follows:

1. **A (\$2,500) twenty five thousand dollar fine to to paid on or before August 3, 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.

2. **A 90 day suspension of all NMRC licenses, running consecutively with ruling 2016-RUI-54, from August 4, 2016 through November 2, 2016 inclusive.**

3. **The horse "Untangled Vines"** must pass a commission-approved examination before becoming eligible to be entered.

4. **Loss of purse from the 2nd race, on March 27, 2016 at Sunland Park Racetrack in Sunland Park, NM, and the horse "Untangled Vines"** is HEREBY DISQUALIFIED AND ORDERED UNPLACED. The new order of finish is as follows.

- 1) Oh Papas Baby
- 2) JJ Diamond Jack
- 3) Miss Corona Dasie
- 4) Red Finch
- 5) RI Jess Ryder

UNPLACED "Untangled Vines" also ordered unplaced were "Racers Regard" and "Transfusion"



New Mexico Racing Commission
4900 Alameda NE
Albuquerque NM 87112

Ruling #: 2016-RUI-73
Track Ruidoso Downs
Ruling Date: 7/4/2016

Licensee: GUTIERREZ, GERARDO

License Type: Trainer Applicant Id: 28971

Date of Birth: 06/12/1988 License Number: 81809

During said time of applicable suspension Gerardo Gutierrez 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 Gerardo Gutierrez are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

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

Travis Smith *John Allen* *Kenner Riva*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-74
Track: Ruidoso Downs
Ruling Date: 7/4/2016

Licensee: GUTIERREZ, GERARDO

License Type: Trainer

Applicant Id: 28971

Date of Birth: 06/12/1988

License Number: 81809

Ruling #: 2016-RUI-74

Action Type: Initial Ruling

Ruling:

Trainer Gerardo Gutierrez having been duly notified and having appeared with translator Jose Ignacio De Herrera **before the Board Of Stewards on July 4, 2016, regarding a lab report from UC/Davis** (official testing laboratory for the NMSRC), for a confirmed positive of the prohibited foreign Class 3B drug "clenbuterol" detected in horse "**California Gurl**", who **finished 1st place in the 3rd race, on April 23, 2016 at Sunland Park Racetrack in Sunland Park, NM. Test Sample #: NM16069.** **(third violation within 365-day period).**

(The original lab report indicated a finding of clenbuterol at **158 pg/ml in the urine in sample NM16069.** Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by Gerardo Gutierrez.)

Javier M. Chaves is the owner of record for horse "**California Gurl**" which was the subject of the clenbuterol positive.

Javier M. Chavez 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."

15.2.6.9(D)

O. SUSPENSION OF AUTHORIZED MEDICATION: (1) After a public meeting that has been noticed in accordance with the Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA, 1978, the commission may, for any cause, temporarily suspend the authorized administration to a horse entered to race of any drug, substance or medication that is otherwise permitted under the commission rules (2) The temporary suspension of the authorized administration of a drug, substance or medication may be for a race, breed, or race meeting, provided all horses in the same race compete under the same conditions (3) The commission shall notify in writing the racing association, the trainer's organization, and licensed veterinarians of any temporary suspension of authorization to administer a drug, substance or medication to a horse entered to race. The



New Mexico Racing Commission
4900 Alameda NE
Albuquerque NM 87113

Ruling #: 2016-RUI-74
Track Ruidoso Downs
Ruling Date: 7/4/2016

Licensee: GUTIERREZ, GERARDO

License Type: Trainer Applicant Id: 28971
Date of Birth: 06/12/1988 License Number: 81809

written notification shall at minimum: (a) state the authorized medication whose use is temporarily suspended, (b) the period of time for which the use of the authorized medication is temporarily suspended, and (c) whether the temporary suspension is for a specific breed or a race meeting (4) A suspension of authorization to administer a drug, substance or medication to a horse entered to race shall not exceed 12 months.

15.2.1 (P) (15) "Prohibited substance" is any chemical which, when administered to a horse can create a change in the normal physiological performance of the horse's racing ability, such as narcotics, anesthetics, depressants, anti-convulsants, tranquilizers, hallucinogenics and stimulants; when administered to a horse, may interfere with testing procedures and is not a therapeutic medication.

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

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

15.2.6.9 C. PENALTY RECOMMENDATIONS: (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: **Third Lifetime offense (365-day period) in any jurisdiction** Disqualification, loss of purse, \$5,000 fine and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered

For this third Class 3B medication violation in a 365- day period (refer to rulings 2016-RUI-54 and 2016-RUI-73) issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed Javier M.

Chavez a penalty as follows:

1. A 240 day suspension of all NMRC licenses, running consecutively with ruling 2016-RUI-73, from November 3, 2016 through July 1, 2017 inclusive.

2. A (\$5,000) five thousand dollar fine to paid on or before August 3, 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. The horse "California Gurl" shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.

4. Loss of purse from the 3rd race, on April 23, 2016 at Sunland Park Racetrack in Sunland Park, NM, and the horse "California Gurl", is HEREBY DISQUALIFIED AND ORDERED UNPLACED.
The new order of finish is as follows.

- 1) Go For Sixes
- 2) Chicks Fast Prize
- 3) Unforgottenrareform
- 4) Hiding a Secret
- 5) Parhelion
- 6) The Devils Rainbow
- 7) Wontchadancewithme
- 8) Rapido James
- 9) Buccaneer Angel

UNPLACED "California Gurl".



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-74
Track Ruidoso Downs
Ruling Date: 7/4/2016

Licensee: GUTIERREZ, GERARDO

License Type: Trainer

Applicant Id: 28971

Date of Birth: 06/12/1988

License Number: 81809

During said time of applicable suspension **Gerardo Gutierrez** 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 **Gerardo Gutierrez** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

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-75
Track Ruidoso Downs
Ruling Date: 7/4/2016

Licensee: CHAVEZ, JAVIER M

License Type: 2015 3 Year Owner Applicant Id: 20279
Date of Birth: 11/19/1967 License Number: 279200

Ruling # 2016-RUI-75

Action Type: Initial Ruling

Ruling:

Owner Javier M. Chavez having been duly notified and having appeared **before the Board Of Stewards on July 4, 2016, regarding a lab report from UC/Davis** (official testing laboratory for the NMSRC), for a confirmed positive for the prohibited foreign drug, clenbuterol (class 3 penalty category B drug) Phenylbutazone, and Flunixin (staking violation, penalty class 3 category C drug) found in test sample **NM16618** taken from the winner "**Untangled Vines**" following **the 2nd race, on March 27, 2016 at Sunland Park Racetrack in Sunland Park, NM. (second confirmed violation within a 365- day period)** and for a confirmed positive of the prohibited foreign Class 3B drug "clenbuterol" detected in horse "**California Gurl**", who **finished 1st place in the 3rd race, on April 23, 2016 at Sunland Park Racetrack in Sunland Park, NM. Test Sample #: NM16069. (third violation within 365-day period).**

(The original lab report indicated a finding of clenbuterol at **212 picograms per milliliter in the urine, Phenylbutazone at 3.33 micrograms per milliliter in the blood, Flunixin at 16.4 nanograms per milliliter in the blood in sample NM16618.** Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by Gerardo Gutierrez.)

(The original lab report indicated a finding of clenbuterol at **158 pg/ml in the urine in sample NM16069.** Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by Gerardo Gutierrez.)

Trainer Gerardo Gutierrez is the trainer of record for horse "**California Gurl**" which was the subject of the clenbuterol positive.

Javier M. Chavez 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"

O. SUSPENSION OF AUTHORIZED MEDICATION: (1) After a public meeting that has been noticed in accordance with the Open Meetings Act, Sections 10-15-1 through 10-15-4 NMSA, 1978, the commission may, for any cause, temporarily suspend the authorized administration to a horse entered to race of any drug, substance or medication that is otherwise permitted under the commission rules **(2)** The temporary suspension of the authorized administration of a drug, substance or medication may be for a race, breed, or race meeting, provided all horses in the same race compete under the same conditions **(3)** The commission shall notify in



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-75
Track Ruidoso Downs
Ruling Date: 7/4/2016

Licensee: CHAVEZ, JAVIER M

License Type: 2015 3 Year Owner Applicant Id: 20279
Date of Birth: 11/19/1967 License Number: 279200

writing the racing association, the trainer's organization, and licensed veterinarians of any temporary suspension of authorization to administer a drug, substance or medication to a horse entered to race. The written notification shall at minimum: (a) state the authorized medication whose use is temporarily suspended, (b) the period of time for which the use of the authorized medication is temporarily suspended, and (c) whether the temporary suspension is for a specific breed or a race meeting (4) A suspension of authorization to administer a drug, substance or medication to a horse entered to race shall not exceed 12 months.

15.2.1 (P) (15) "**Prohibited substance**" is any chemical which, when administered to a horse can create a change in the normal physiological performance of the horse's racing ability, such as narcotics, anesthetics, depressants, anti-convulsants, tranquilizers, hallucinogenics and stimulants; when administered to a horse, may interfere with testing procedures and is not a therapeutic medication.

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

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

The Board of Stewards assessed **Javier M. Chavez** a penalty as follows:

For this **second Class 3B medication violation** in a 365- day period (refer to rulings 2016-RUI-54) issued in accordance with 15.2.6.9 (C)(2)(b) NMAC.

1. **The horse "Untangled Vines"** must pass a commission-approved examination before becoming eligible to be entered.

2. **Loss of purse from the 2nd race, on March 27, 2016 at Sunland Park Racetrack in Sunland Park, NM, and the horse "Untangled Vines"** is HEREBY DISQUALIFIED AND ORDERED UNPLACED. The new order of finish is as follows.

1. Oh Papas Baby
2. JI Diamond Jack
3. Miss Corona Dasie
4. Red Finch
5. RI Jess Ryder

UNPLACED "Untangled Vines" also ordered unplaced were "Racers Regard" and "Transfusion"

For this **third Class 3B medication violation** in a 365- day period (refer to rulings 2016-RUI-54, 2016-RUI-73, 2016-RUI-74) issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, **15.2.6.9 C. PENALTY**

RECOMMENDATIONS:(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: **Third Lifetime offense (365-day period) in any jurisdiction** Disqualification, loss of purse, \$5,000 fine and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered

3. **A (\$5,000) five thousand dollar fine to paid on or before August 3, 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-75
Track Ruidoso Downs
Ruling Date: 7/4/2016

Licensee: CHAVEZ, JAVIER M

License Type: 2015 3 Year Owner Applicant Id: 20279
Date of Birth: 11/19/1967 License Number: 279200

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.

4. The horse "California Gurl" shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.

5. Loss of purse from the 3rd race, on April 23, 2016 at Sunland Park Racetrack in Sunland Park, NM, and the horse "California Gurl", is HEREBY DISQUALIFIED AND ORDERED UNPLACED. The new order of finish is as follows.

6. Go For Sixes
7. Chicks Fast Prize
8. Unforgottenrareform
9. Hiding a Secret
10. Parhelion
11. The Devils Rainbow
12. Wontchadancewithme
13. Rapido James
14. Buccaneer Angel

UNPLACED "California Gurl",

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-76
Track Ruidoso Downs
Ruling Date: 7/8/2016

Licensee: VALLES, RODOLFO GUADALUPE
License Type: 2015 3 Year Trainer Applicant Id: 33090
Date of Birth: 02/07/1994 License Number: 278659

Ruling # 2016-RUI-76

Action Type: Initial Ruling

Ruling:

Trainer, **Rodolfo Valles**, having appeared before the Board of Stewards on **July 8, 2016**, for possessing improperly labeled medication, a needle and a syringe during a compliance search by the investigator in the stable area on July 8, 2016 and found to be in violation of NMRC rules.

For this violation, the Board of Stewards issue **Rodolfo Valles** the following penalty:

A summary suspension of any/all New Mexico Racing Commission licenses, effective **July 8, 2016**. During his suspension **Rodolfo Valles** 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 **Rodolfo Valles** are denied further entry pending the outcome of his hearing **July 11, 2016**, 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

During said time of applicable suspension **Rodolfo Valles** 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 **Rodolfo Valles** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21) (c) NMAC. 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-77
Track Ruidoso Downs
Ruling Date: 7/8/2016

Licensee: OCHOA-PENA, GERARDO

License Type: 2016 3 Year Trainer Applicant Id: 21264
Date of Birth: 10/03/1969 License Number: 280938

Ruling # 2016-RUI-77

Action Type: Initial Ruling

Ruling:

Trainer **Gerardo Ochoa-Pena** having been duly notified and appeared before the Board Of Stewards on July 8, 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 "**Mr. Mo Runaway**", who finished 3rd place in the third race, on April 22, 2016 at Sunland Park Racetrack. Test Sample #: NM16045. (The original lab report indicated a finding of clenbuterol at 166 pg/ml in the urine. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by Gerardo Pena-Ochoa.)

Owner Eusebio V. Sanchez was duly notified, failed to appear, and had his hearing held in absentia. He is the owner of record for horse "**Mr. Mo Runaway**" which was the subject of the clenbuterol positive.

Gerardo Ochoa-Pena 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."

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 **Gerardo Ochoa-Pena** a penalty as follows:

A 45 day suspension of all NMRC licenses beginning July 18, 2016 through September 1, 2016, inclusive.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-77
Track Ruidoso Downs
Ruling Date: 7/8/2016

Licensee: OCHOA-PENA, GERARDO

License Type: 2016 3 Year Trainer Applicant Id: 21264
Date of Birth: 10/03/1969 License Number: 280938

A (\$2,000) two thousand dollar fine to paid on or before August 8, 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.

The horse "Mr. Mo Runaway" must pass a commission approved veterinary examination before being eligible to enter.

Loss of purse from the third race, on April 22, 2016 at Sunland Park Racetrack and the horse "Mr. Mo Runaway" is HEREBY DISQUALIFIED AND ORDERED UNPLACED. The new order of finish is as follows

1. Chill It
2. Luvthem Blazinicks
3. Officer Moonflash
4. Jj Jessies Girl
5. Bankie Bay
6. A Horse Called Buddy
7. Shes a Fighter
8. Divetime Dude

UNPLACED "MR. MO RUNAWAY"

During said time of applicable suspension, Gerardo Ochoa-Pena 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 Gerardo Ochoa-Pena 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
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-78
Track Ruidoso Downs
Ruling Date: 7/9/2016

Licensee: JUAREZ, RIGO J.

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

Ruling # 2016-RUI-78

Action Type: Initial Ruling

Ruling:

Trainer **Rigo J Juarez** having been duly notified, waived his rights to appeal, and appeared with witness Mathew Mashburn before the Board of Stewards **on July 9, 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 May 10, 2016**, for the Class 3B drug "**stanozolol**" detected in sample # **NC26229 taken from** horse "**Zenobia**" and confirmed with a split sample sent to **Industrial Laboratories on June 10, 2016**.

Owner Fostel Enterprises (John Fostel) was duly notified and failed to appear for the hearing. He is the owner of record for horse "**Zenobia**" which was the subject of the "**stanozolol**" positive for out of competition testing .

Rigo J Juarez is found to be in violation of:

15.2.6.9(H)ANDROGENIC-ANABOLIC STEROIDS(1) No AAS shall be permitted in test sample collected from racing horses except for residues of the major metabolite of **nandrolone**, and the naturally occurring substances **boldenone** and testosterone at concentrations less than the indicated thresholds.**(3)Any other anabolic steroids are prohibited in racing horses.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 SUBSTANCES (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 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, aranesep 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-78
Track Ruidoso Downs
Ruling Date: 7/9/2016

Licensee: JUAREZ, RIGO J.

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

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 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.

Mitigating circumstances : Witness Mathew Mashburn, farm manager and trainer at time of medication administration, testified that the horse "Zenobia" became ill while under his care and custody and he transported the horse to Bill's Veterinary Care who provided documentation stating that the horse "Zenobia" was given Stanzolol on March 18, 2016. Mathew Mashburn admitted that he failed to notify Rigo J Jaurez of the administration of the medication.

For this first out of competition testing Class 3 Penalty B medication violation in a 365- day period issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards, considering mitigating circumstances, assessed Rigo J Juarez the following penalty

1. A 20 day suspension of all NMRC licenses effective immediately July 9, 2016 through July 29, 2016, inclusive.

2. (\$500) five hundred dollar fine to be paid on or before August 9, 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 "Zenobia" is hereby placed in the Stewards list for a period of 20 days (July 9, 2016 through July 29, 2016 inclusive), during this period the papers must be removed from the racing office and horse is denied entry until it has passed a commission approved veterinary examination. During said time of applicable suspension, Rigo J Juarez 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 Rigo J Juarez 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-78
Track Ruidoso Downs
Ruling Date: 7/9/2016

Licensee: JUAREZ, RIGO J.

License Type: 2016 3 Year Trainer

Date of Birth: 01/18/1984

Applicant Id: 9965

License Number: 280520

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87112

Ruling #: 2016-RUI-79
Track: Ruidoso Downs
Ruling Date: 7/10/2016

Licensee: QUINTANILLA, VICTOR
License Type: 2016 1 Year Assistant
Date of Birth: 08/04/1968
Applicant Id: 6465
License Number: 282021

Ruling # 2016-RUI-79
Action Type: Initial Ruling
Ruling:

Assistant Trainer, **VICTOR QUINTANILLA**, having appeared before the Board of Stewards on **July 10, 2016**, for being in possession of drug paraphernalia during a probable cause search ordered by stewards on July 10, 2016 at Ruidoso Downs and for testing positive for the prohibited substance Methamphetamine and found to be in violation of NMRC rules.

For this violation, the Board of Stewards issue **VICTOR QUINTANILLA** the following penalty:
A summary suspension of any/all New Mexico Racing Commission licenses, effective **July 10, 2016**.

During his suspension **VICTOR QUINTANILLA** 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 pending the outcome of his hearing **July 16, 2016 at 10:45 AM**, 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

16.47.1.8 (L)(b) 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".

60 1A 11(C) NMSA:

Which states in pertinent part that "A person issued or applying for an occupational license who has positive test results for a controlled substance or who has been convicted of a violation of a federal or state controlled substance law shall be denied a license or shall subject to revocation of an existing license unless sufficient evidence of rehabilitation is presented to the commission."

16.47.1.8(l)(1)(b) NMAC.

Which states in pertinent part that "The Commission may revoke a license issued if the applicant has been convicted of violating any law regarding gambling or a controlled or dangerous substance."

16.47.1.8(l)(1)(a) NMAC:

Which states in pertinent part that "The Commission may revoke a license issued if the applicant has been convicted of a felony."

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the rules."



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-80
Track Ruidoso Downs
Ruling Date: 7/11/2016

Licensee: VALLES, RODOLFO GUADALUPE
License Type: 2015 3 Year Trainer Applicant Id: 33090
Date of Birth: 02/07/1994 License Number: 278659

Ruling # 2016-RUI-80

Action Type: Initial Ruling

Ruling:

Trainer, Rodolfo Valles, having appeared with council Freda Howard McSwane, Dr. Ivey owner of Equine Sports Medicine and Surgery Clinic, and observer Owner Bobby Simmons before the Board of Stewards on July 11, 2016 for a hearing that was continued from July 8, 2016, for possessing improperly labeled medication, a needle and a syringe during a compliance search by the investigator in the stable area on July 8, 2016 and found to be in violation of NMRC rules.

Mitigating circumstances: The prescribing vet failed to properly label the medication and gave Rodolfo Valles a vile with no method of removing the substance from the vile. Mr. Valles stated that he brought the needle and syringe to withdraw the medication and inject it into the nebulizer. The medication was an antibiotic and not a medication to be used to enhance a horse's performance. Mr. Valles was apologetic and released the mistake he had made.

For this violation, considering mitigating circumstances and the clean record of Rodolfo Valles the Board of Stewards issue the following penalty:

1. A suspension of any/all New Mexico Racing Commission licenses, effective July 22, 2016 through August 21, 2016 inclusive
2. A (\$750.00) seven hundred and fifty dollar fine The fine is to paid on or before August 10, 2016 in accordance with 15.2.3.8(B)(3)(I) NMRC. Failure to pay the fine within the time prescribed may result in immediate suspension.

During his suspension Rodolfo Valles 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) NMRC.

Additionally, during the applicable term of this suspension, all horses owned, trained, or under the care of Rodolfo Valles are denied further entry per 15.2.1.9 (C)(21)(c) NMRC.

Licensee is found to be in violation of:

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

15.2.1.9(b): 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)(h) NMRC:

Which states that "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued or order disciplinary measures, if the applicant is a person whose conduct or reputation may reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit to, disruptive or intemperate behavior or behavior which exposes otherS to danger anywhere on the racetrack grounds. The fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule."

15.2.3.8(B)(1)(d) NMRC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the rules."



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-81
Track Ruidoso Downs
Ruling Date: 7/15/2016

Licensee: RODRIGUEZ-FLORES, VICTOR H
License Type: 2016 1 Year Temporary Applicant Id: 32096
Date of Birth: 10/29/1982 License Number: 281724

Ruling # 2016-RUI-81

Action Type: Initial Ruling

Ruling:

Trainer Victor H. Rodriguez Flores having been duly notified, failing to appear, and had his hearing held in absentia before the Board of Stewards on **July 8, 2016**, for failing to have registration papers on file for entry **Officer Moonflash**, which resulted in a late scratch and mutuel refund of the **third race on June 17, 2016 at Ruidoso Downs**.

For this violation, the Board of Stewards assessed **Victor H. Rodriguez Flores** a fine in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **August 15, 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 Victor H. Rodriguez Flores is found to be in violation of.

16.47.1.10(C)(7) NMAC:

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

15.2.5.12(B) NMAC:

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-82
Track Ruidoso Downs
Ruling Date: 7/15/2016

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

Ruling # 2016-RUI-82

Action Type: Initial Ruling

Ruling:

Trainer Albert Franco, having been duly notified, failed to appear, and had his hearing held in absentia before the Board of Stewards on **July 8, 2016**, for failure to declare equipment (**Flipping Halter ON**) at time of entry for **JM HEZA BAD BOY**, entered in **the sixth race**, on **June 17, 2016**, **at Ruidoso Downs**.

For this rule violation, the Board of Stewards assessed a penalty in the amount off **fifty dollars (\$50.00)**. The fine is to paid on or before **August 15, 2016** in accordance with 15.2.3.8(B)(3)(l) NMAC.

Failure to pay the fine within the time prescribed may result in immediate suspension.
Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-83
Track Ruidoso Downs
Ruling Date: 7/15/2016

Licensee: RAMIREZ-CORONADO, SAUL
License Type: 2015 3 Year Owner Applicant Id: 157661
Date of Birth: 01/12/1998 License Number: 278196

Ruling # 2016-RUI-83

Action Type: Initial Ruling

Ruling:

Owner Saul Ramirez-Coronado appeared before the Board of Stewards on July 8, 2016, and stated that he is now employed as an veterinary assistant and is no longer eligible to hold an owners license. Therefore, the Board of Stewards hereby rescind his owner's license without prejudice and re-issued veterinary assistant license.

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".

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-84
Track Ruidoso Downs
Ruling Date: 7/15/2016

Licensee: BELKHAM, LARRY DEAN

License Type: 2016 1 Year Groom Applicant Id: 13725
Date of Birth: 10/15/1955 License Number: 282054

Ruling # 2016-RUI-84

Action Type: Initial Ruling

Ruling:

The **Pony Person license and Groom** issued to **Larry Belkham** is hereby rescinded without prejudice having appeared on July 8, 2016, before the Board of Stewards and stated that he is no longer employed in that capacity is hereby reissued his **Assistant Starter** 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".

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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

Debit Smith

[Signature] *Reuben Lewis*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-84
Track Ruidoso Downs
Ruling Date: 7/15/2016

Licensee: BELKHAM, LARRY DEAN

License Type: 2016 1 Year Groom Applicant Id: 13725
Date of Birth: 10/15/1955 License Number: 282054

Ruling # 2016-RUI-84

Action Type: Initial Ruling

Ruling:

issued in error jcc

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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

Ruling # 2016-RUI-84

Action Type: Initial Ruling

Ruling:

issued in error jcc

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-85
Track Ruidoso Downs
Ruling Date: 7/15/2016

Licensee: NICASIO, EDUARDO BELLO
License Type: 2013 3 year Jockey Applicant Id: 35609
Date of Birth: 08/21/1989 License Number: 70113

Ruling # 2016-RUI-85

Action Type: Initial Ruling

Ruling:

Jockey, **Eduardo Bello**, appeared before the Board of Stewards, **July 8, 2016**, regarding his failure to appear in the paddock on time **for the 5th race on July 8, 2016, at Ruidoso Downs.**

For this rule violation, the Board of Stewards assessed a penalty in the amount of **fifty dollars (\$50)**. The fine is to be paid on or before **August 8, 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.

FOUND IN VIOLATION OF:

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-86
Track Ruidoso Downs
Ruling Date: 7/15/2016

Licensee: ASCENCIO, JR ARNULFO

License Type: 2015 3 Year Owner Applicant Id: 23046
Date of Birth: 04/28/1981 License Number: 278585

Ruling # 2016-RUI-86

Action Type: Initial Ruling

Ruling:

Trainer Arnulfo Ascenoio having been duly notified and appeared before the Board of Stewards on July 9, 2016, for failing to have health certificate and coggins on file for entry Red Dirt Rookie, which resulted in a late scratch in the fourth race on June 25, 2016 at Ruidoso Downs.

For this violation, the Board of Stewards assessed Arnulfo Ascenoio a fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before August 15, 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 Ascenoio is found to be in violation of

16.47.1.10 C. (9) NMAC:

Which states in pertinent part that "A trainer is responsible for having each horse in his/her care that is racing, or is stabled on association grounds, tested for equine infectious anemia (EIA) and for filing evidence of such negative test results with the Racing Secretary as required by the Commission.

15.2.5.12 (Z) NMAC:

Which states in pertinent part that "A horse shall be ineligible to start in a race when there is no current negative test certificate for equine infectious anemia attached to its breed registration certificate, as required by the Commission."

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." +C9

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87112

Ruling #: 2016-RUI-87
Track: Ruidoso Downs
Ruling Date: 7/15/2016

Licensee: ORTIZ, JOSE ENRIQUE

License Type: 2016 3 Year Jockey Applicant Id: 35364

Date of Birth: 03/02/1996 License Number: 281100

Ruling # 2016-RUI-87

Action Type: Initial Ruling

Ruling:

Jockey **Jose Enrique Ortiz** having been duly notified, failed to appear and had hearing held in absentia before the Board of Stewards on **July 10, 2016**, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagements **in the 5th race on June 24, 2016 at Ruidoso Downs.**

Jose Enrique Ortiz is found to be in violation of:

For this rule violation, the Board of Stewards assessed **Jose Enrique Ortiz** a penalty in the amount of **two hundred dollars (\$200.00).** The fine is to be paid on or before **August 10, 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.

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.

15.2.5.13(C)(1) NMAC: Which states in pertinent part that "Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards." 15.2.5.13(C)(3) NMAC: Which states in pertinent part that "Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-88
Track Ruidoso Downs
Ruling Date: 7/15/2016

Licensee: TERRAZAS, JOHNNA MARIE
License Type: 2015 3 Year Trainer Applicant Id: 157140
Date of Birth: 01/27/1974 License Number: 279181

Ruling # 2016-RUI-88

Action Type: Initial Ruling

Ruling:

Trainer Johnna Terrazas, having been duly notified and responded telephonically before the Board of Stewards on **July 10, 2016** for failure to have sufficient works for entry "**Blue Bridge**" in the **fourth race June 11, 2016 at Ruidoso Downs**

Johnna Terrazas is found to be in violation of:

15.2.5.11 (A)(2) NMAC: Which states in pertinent part " Any horse which has started, but not within 60 days, must have at least one workout within 60 days prior to entry. Horses that have not started within 6 months of entry must have at least two approved workouts within 60 days of entry, one workout shall be from the starting gate, or must have proof of standing the horse at least one time within a sixty day period. It shall be the Trainer's responsibility to establish validity as to workouts and gate approvals".

15.2.5.12 (L) NMAC: Which states in pertinent part "A horse shall be ineligible to start in a race when it lacks official published workouts".

15.2.5.11(A)(3) Horses that have never raced around the turn will be required to have within thirty (30) days prior to entry, at least one (1) workout at 660 yards or farther. Horses that have previously started in a race around the turn, but not within sixty (60) days, will be required to have at least one (1) workout at 660 yards or farther prior to entry.

16.47.1.10 (C)(18) NMAC: Which states in pertinent part "The Trainer is responsible for horses entered as to eligibility, weight, or other allowances claimed".

For this rule violation, the Board of Stewards assessed **Johnna Terrazas** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **August 15, 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.

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the rules."



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-89
Track Ruidoso Downs
Ruling Date: 7/15/2016

Licensee: REYES, CHRISTIAN SANTIAGO
License Type: 2016 3 Year Jockey Applicant Id: 2601
Date of Birth: 09/01/1989 License Number: 280726

Ruling # 2016-RUI-89

Action Type: Initial Ruling

Ruling:

Jockey, **Christian Santiago Reyes**, having been summoned and having appeared before the Board of Stewards **on June 15, 2016**, for careless riding which resulted in the disqualification of his mount **"Dandy Pleasure" from first place and ordered unplaced in the fifth race, July 11, 2016, at Ruidoso Downs** (allowing his mount to drift out and put pressure on the 3 and 4 which contributed to the 5 clipping heels with the 4 and unseating his rider).

For this violation, the Board of Stewards assessed **Christian Santiago Reyes** a suspension of 3 race days (July 23, 2016, July 24, 2016 and July 25, 2016).

Christian Santiago Reyes is allowed to ride designated races.

This ruling is in accordance with:

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)(a) NMAC:

Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

15.2.5.13(E)(2)(a) NMAC:

Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-90
Track Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: GARCIA, NOE

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

Ruling # 2016-RUI-90

Action Type: Initial Ruling

Ruling:

Jockey Noe Garcia, having been summoned and appeared before the Board of Stewards on July 15, 2016, for failure to have sufficient control, while aboard "Apollitical Dreaming" in the 14th Race July 8, 2016, at Ruidoso Downs, is found to be in violation of Commission rules. (drifted out under left handed whip).

For this violation, the Board of Stewards assessed, Noe Garcia, a fine in the amount of one hundred dollars, (\$100.00).

The fine is to be paid on or before August 15, 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:

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

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

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

Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.5.13(E)(2)(a) NMAC:

which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-91
Track Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: GUTIERREZ, TAURINO GONZALEZ
License Type: Trainer Applicant Id: 33130
Date of Birth: 01/04/1956 License Number: 81840

Ruling # 2016-RUI-91

Action Type: Initial Ruling

Ruling:

Trainer **Taurino Gutierrez** having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **July 11, 2016**, for failure to appear in paddock with entry, **Mr Moo**, which resulted in a late scratch and mutuel refund in the **first race on June 18, 2016 at Ruidoso Downs**

For this rule violation, the Board of Stewards assessed **Taurino Gutierrez** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **August 15, 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.

Licensee is found to be in violation of:

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-92
Track Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: ARROYO, JR NORBERTO

License Type: Jockey Applicant Id: 45918
Date of Birth: 07/19/1976 License Number: 80749

Ruling # 2016-RUI-92

Action Type: Initial Ruling

Ruling:

Jockey Norberto Arroyo having been duly notified and responded telephonically before the Board of Stewards on July 11, 2016, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagements in the first race on June 24, 2016 at Ruidoso Downs.

Norberto Arroyo is found to be in violation of:

For this rule violation, the Board of Stewards assessed Norberto Arroyo a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before August 15, 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.

15.2.5.13(C)(3) NMAC:

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

15.2.5.13(C)(1) NMAC:

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

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-93
Track Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: PEREZ, ARNOLD

License Type: 2015 3 Year Jockey Applicant Id: 158386
Date of Birth: 06/29/1991 License Number: 280392

Ruling # 2016-RUI-93

Action Type: Initial Ruling

Ruling:

Jockey, **Arnold Perez**, having been summoned and having appeared before the Board of Stewards **on June 15, 2016**, for careless riding which resulted in the disqualification of his mount **"Rainbow Bay"** **from third place and ordered unplaced in the fifth race, July 11, 2016, at Ruidoso Downs.** (coming in shortly after the start forcing the 5 into the 4 and contributing to the 5 clipping heels with 4 and unseating his rider)

For this violation, the Board of Stewards assessed **Arnold Perez** a suspension of 3 race days (July 23, 2016, July 24, 2016 and July 25, 2016).

Arnold Perez is allowed to ride designated races.

This ruling is in accordance with:

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)(a) NMAC:

Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

15.2.5.13(E)(2)(a) NMAC:

Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-94
Track Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: DOMINGUEZ, SERGIO G

License Type: 2015 3 Year Jockey Applicant Id: 86326

Date of Birth: 04/30/1996 License Number: 246771

Ruling # 2016-RUI-94

Action Type: Initial Ruling

Ruling:

Jockey Sergio Dominguez having been duly notified, failed to appear, and had his hearing held in absentia before the Board of Stewards on July 15, 2016, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagements in the fourth race on June 24, 2016 at Ruidoso Downs.

Sergio Dominguez is found to be in violation of:

For this rule violation, the Board of Stewards assessed Sergio Dominguez a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before August 15, 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.

15.2.5.13(C)(3) NMAC:

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

15.2.5.13(C)(1) NMAC:

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-95
Track Ruidoso Downs
Ruling Date: 7/16/2016

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-95

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 **July 15, 2016**, for missing Lasix and for entry, **Wicked Spencer**, which resulted in a late scratch and mutuel refund in **the fourth race on June 19, 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 **August 15, 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.

15.2.6.9(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.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-96
Track Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: VILLANUEVA, JUAN CARLOS
License Type: 2015 3 Year Jockey Applicant Id: 34058
Date of Birth: 09/04/1982 License Number: 279877

Ruling # 2016-RUI-96

Action Type: Initial Ruling

Ruling:

Jockey **Juan Carlos Villanueva** having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **July 15, 2016 at Ruidoso Downs** for financial obligation to jockey agent **Joe Ramirez for money owed during the Sunland Park meet.**

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to **Juan Carlos Villanueva** be suspended and that he be deemed ineligible for any future licensing in New Mexico until such time that full payment is made to to **Joe Ramirez** in the amount of (\$1,286.00) one thousand two hundred and eighty six dollars.

Jockey **Juan Carlos Villanueva** is found to be in violation of.

16.47.1.8 I (1) NMAC - Financial Responsibility

All persons engaged in racing shall maintain financial responsibility in matters pertaining to racing and the Parental Responsibility Act.

16.47.1.8 L NMAC- Grounds for Refusal, Denial, Suspension, or Revocation of License.

(1) The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measure, if the applicant:

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-97
Track Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: ALMANZA, ROLANDO

License Type: 2013 3 Year Trainer Applicant Id: 34169
Date of Birth: 07/11/1973 License Number: 43395

Ruling # 2016-RUI-97

Action Type: Initial Ruling

Ruling:

Trainer ROLANDO ALMANZA having waived his right to a hearing before the Board of Stewards on **JULY 11, 2016**, for employing an unlicensed groom on JULY 11, 2016 at Ruidoso Downs.

The Board of Stewards assessed **ROLANDO ALMANZA** a penalty in the amount of two **hundred dollars (\$200)**. The fine is to be paid on or before **August 16, 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.

ROLANDO ALMANZA was found to be in violation of Commission rules.

16.47.1.8 (G)(1) NMAC: Which states in pertinent part "The employment of any unlicensed person under the jurisdiction of the Commission is prohibited".

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)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-98
Track: Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: ZAMORA, CHRIS GERARD
License Type: 2015 3 Year Trainer Applicant Id: 17528
Date of Birth: 12/16/1963 License Number: 278871

Ruling # 2016-RUI-98

Action Type: Initial Ruling

Ruling:

Trainer Chris Zamora, having waived his right hearing before the Board of Stewards on **April 11, 2016**, for entering ineligible horse **Tidal Wave in the 7th race on June 13, 2016** at Ruidoso Downs.

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

The fine is to be paid on or before **August 16, 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

Chris Zamora is found to be in violation of.

16.47.1.10(C)(18) NMAC:

Which states in pertinent part that "A Trainer is responsible for the horse entered as to eligibility and weight or other allowances claimed."

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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

Leslie Smith

Jill Carter

Robert F. [Signature]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-99
Track Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: ALVIDREZ, CARLOS O

License Type: Trainer Applicant Id: 31447
Date of Birth: 10/02/1964 License Number: 81855

Ruling # 2016-RUI-99

Action Type: Initial Ruling

Ruling:

Trainer Carlos Alvidrez having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **July 16, 2016**, for failure to declare equipment **(Flipping Halter Off)** at time of entry for **Stauss**, entered in **the third race**, on **June 20, 2016, at Ruidoso Downs**.

For this rule violation, the Board of Stewards assessed **Carlos Alvidrez** a penalty in the amount off **fifty dollars (\$ 50.00)**. The fine is to paid on or before **August 16, 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.

Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-100
Track Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: MORENO, TOMAS DOMINGUEZ
License Type: Trainer Applicant Id: 23314
Date of Birth: 03/07/1942 License Number: 81853

Ruling # 2016-RUI-100

Action Type: Initial Ruling

Ruling:

Trainer **Tomas D. Moreno** having been duly notified, failing to appear, and had his hearing held in absentia before the Board of Stewards on **July 16, 2016**, for failing to have health certificate and coggins on file for entry **I Saw You Looking**, which resulted in a late scratch in the **fourth race on June 24, 2016 at Ruidoso Downs**.

For this violation, the Board of Stewards assessed **Tomas D. Moreno** a fine in the amount **of two hundred dollars (\$200.00)**. The fine is to be paid on or before **August 16, 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 **Tomas D. Moreno** is found to be in violation of

16.47.1.10 C. (9) NMAC:

Which states in pertinent part that "A trainer is responsible for having each horse in his/her care that is racing, or is stabled on association grounds, tested for equine infectious anemia (EIA) and for filing evidence of such negative test results with the Racing Secretary as required by the Commission.

15.2.5.12 (Z) NMAC:

Which states in pertinent part that "A horse shall be ineligible to start in a race when there is no current negative test certificate for equine infectious anemia attached to its breed registration certificate, as required by the Commission."

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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." +C9

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-101
Track Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: RUIZ, MIGUEL

License Type: 2016 3 Year Owner Applicant Id: 158544
Date of Birth: 04/18/1991 License Number: 281232

Ruling # 2016-RUI-101

Action Type: Initial Ruling

Ruling:

Owner, **Miguel Ruiz**, having been duly notified, failing to appear, and had hearing held in absentia before the Board of Stewards on **July 16, 2016 at Ruidoso Downs**, for failing to disclose criminal/arrest history history on his licensing application.

Miguel Ruiz is found to be in violation of:

For this violation, the Board of Stewards issue **Miguel Ruiz** a penalty of the following:

A suspension of any/all New Mexico Racing Commission licenses, effective immediately **July 16, 2016**, and is referred to the New Mexico Racing Commission for their consideration prior to reinstatement of any/all NMRC licenses.

During said time of suspension **Miguel Ruiz** 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 by **Miguel Ruiz** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

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

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

Which states that "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued or order disciplinary measures, if the applicant is a person whose conduct or reputation may reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit to, disruptive or intemperate behavior or behavior which exposes otherS to danger anywhere on the racetrack grounds. The fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule."

16.47.1.8(L)(1)(a) NMAC:

Which states in pertinent part that "The Commission may revoke a license issued if the applicant has been convicted of a felony."



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-102
Track Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: GARCIA-LUNA, FELIPE D

License Type: 2015 3 Year Jockey Applicant Id: 30961
Date of Birth: 12/23/1990 License Number: 278824

Ruling # 2016-RUI-102

Action Type: Initial Ruling

Ruling:

Jockey **Felipe Garcia Luna**, having been summoned and appeared before the Board of Stewards on **July 16, 2016**, for failure to make sufficient effort to control his mount "**Roman Soldier Cd**" which resulted in the disqualification of his mount from fifth place to seventh place in the **7th Race on July 10, 2016**, at Ruidoso Downs, is found to be in violation of Commission rules. (Bore out into the path of 4, causing the 4 to check and alter course)

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

The fine is to be paid on or before **August 16, 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:

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

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

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

Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.5.13(E)(2)(a) NMAC:

which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-103
Track: Ruidoso Downs
Ruling Date: 7/16/2016

Licensee: FUENTES, RUBEN

License Type: 2014 3 Year Owner Applicant Id: 106645
Date of Birth: 08/25/1997 License Number: 174384

Ruling # 2016-RUI-103

Action Type: Initial Ruling

Ruling:

The **owner license #174384** issued to **Ruben Fuentes** is hereby rescinded without prejudice after he appeared on July 15, 2016, before the Board of Stewards and stated that he is no longer eligible to be licensed in that capacity. **Ruben Fuentes** hereby issued an apprentice jockey 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".

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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

David Smith

Jill Cuthbert

Ruben Fuentes



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-104
Track Ruidoso Downs
Ruling Date: 7/17/2016

Licensee: SIGALES, RICARDO

License Type: 2016 1 Year Janitor Applicant Id: 158692
Date of Birth: 04/17/1980 License Number: 281666

Ruling # 2016-RUI-104

Action Type: Initial Ruling

Ruling:

1 Year Janitor, Ricardo Sigales having been duly notified, failing to appear, and had hearing held in absentia before the Board of Stewards on July 17, 2016 at Ruidoso Downs, for failing to disclose criminal/arrest history on his licensing application.

Ricardo Sigales is found to be in violation of:

For this violation, the Board of Stewards issue Ricardo Sigales a penalty of the following:

A revocation of any/all New Mexico Racing Commission licenses, effective immediately July 17, 2016, and is referred to the New Mexico Racing Commission for their further review prior to any further application. During said time of suspension Ricardo Sigales 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.

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)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-105
Track Ruidoso Downs
Ruling Date: 7/18/2016

Licensee: LEMONS, JOHNATHAN ALLEN
License Type: 2014 3 Year Trainer Applicant Id: 8852
Date of Birth: 11/16/1973 License Number: 216332

Ruling # 2016-RUI-105

Action Type: Initial Ruling

Ruling:

Trainer Jonathan Lemons having been duly notified and appeared before the before the Board of Stewards on **July 18, 2016**, for failure to declare equipment (**Blinkers On**) at time of entry for **BUENO ORA**, entered in **the fifth race**, on **June 20, 2016, at Ruidoso Downs**.

For this rule violation, the Board of Stewards assessed a penalty in the amount off **fifty dollars (\$50.00)**. The fine is to paid on or before **August 18, 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. Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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

David Smith

[Signature] *[Signature]*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-106
Track Ruidoso Downs
Ruling Date: 7/18/2016

Licensee: CARRASCO, CARLOS SUBIA

License Type: 2016 3 Year Owner Applicant Id: 158697
Date of Birth: 04/13/1984 License Number: 281695

Ruling # 2016-RUI-106

Action Type: Initial Ruling

Ruling:

Owner, Carlos Carrasco, having been duly notified, failing to appear, and had hearing held in absentia before the Board of Stewards on **July 18, 2016 at Ruidoso Downs**, for failure to disclose criminal/arrest history on application dated May 20, 2016 and for being ineligible for licensure at time of application.

Carlos Carrasco is found to be in violation of:

For this violation, the Board of Stewards issue Carlos Carrasco a penalty of the following:

A revocation of any/all New Mexico Racing Commission licenses, effective immediately **July 18, 2016**, and is referred to the New Mexico Racing Commission for their further review prior to any further application. During said time of suspension Carlos Carrasco 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 by Carlos Carrasco are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

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)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-107
Track Ruidoso Downs
Ruling Date: 7/22/2016

Licensee: FENNELL, ERNEST

License Type: 2015 3 Year Trainer Applicant Id: 34414
Date of Birth: 01/18/1954 License Number: 277642

Ruling # 2016-RUI-107

Action Type: Initial Ruling

Ruling:

Trainer **Ernest Fennell**, having failed to pay the fines assessed in Ruling 2016-SUN-201.

Ernest Fennell, is found to be in violation of:

15.2.1.9 (B)(7)(f) NMAC and 15.2.3.8 (B)(3)(1) NMAC: Which states in pertinent part
"All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered".

For this rule violation, all licenses issued to **Ernest Fennell**, are suspended, and he will be ineligible to apply for any future New Mexico Racing Commission license until the fines, as addressed above, have been paid in full.

During said time of applicable suspension, **Ernest Fennell**, 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.

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)(a) NMAC:

Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

15.2.5.13(E)(2)(a) NMAC:

Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.1.9(b):

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-108
Track Ruidoso Downs
Ruling Date: 7/22/2016

Licensee: ARMSTRONG, EARL DEAN
License Type: 2014 3 Year Trainer Applicant Id: 6355
Date of Birth: 06/14/1954 License Number: 205741

Ruling # 2016-RUI-108

Action Type: Initial Ruling

Ruling:

Trainer Earl Armstrong, having been duly notified and waived his rights to a hearing before the Board of Stewards on **July 22, 2016** for failure to have sufficient works for entry "**Once Over**" in the **sixth race July 2, 2016 at Ruidoso Downs**

Earl Armstrong is found to be in violation of:

15.2.5.11 (A)(2) NMAC: Which states in pertinent part " Any horse which has started, but not within 60 days, must have at least one workout within 60 days prior to entry. Horses that have not started within 6 months of entry must have at least two approved workouts within 60 days of entry, one workout shall be from the starting gate, or must have proof of standing the horse at least one time within a sixty day period. It shall be the Trainer's responsibility to establish validity as to workouts and gate approvals".

15.2.5.12 (L) NMAC: Which states in pertinent part "A horse shall be ineligible to start in a race when it lacks official published workouts".

15.2.5.11(A).(3) Horses that have never raced around the turn will be required to have within thirty (30) days prior to entry, at least one (1) workout at 660 yards or farther. Horses that have previously started in a race around the turn, but not within sixty (60) days, will be required to have at least one (1) workout at 660 yards or farther prior to entry.

16.47.1.10 (C)(18) NMAC: Which states in pertinent part "The Trainer is responsible for horses entered as to eligibility, weight, or other allowances claimed".

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.

For this rule violation, the Board of Stewards assessed **Earl Armstrong** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **August 22, 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.

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the rules."



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-109
Track Ruidoso Downs
Ruling Date: 7/23/2016

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

Ruling # 2016-RUI-109

Action Type: Initial Ruling

Ruling:

Jockey Anthony Medina having been duly notified and waived his right to a 10 day notice of hearing before the Board of Stewards on July 22, 2016, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagements in the second race on July 3, 2016 at Ruidoso Downs.

For this rule violation, the Board of Stewards assessed Anthony Medina a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before August 23, 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.

Anthony Medina is found to be in violation of
: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.

15.2.5.13(C)(3) NMAC:

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

15.2.5.13(C)(1) NMAC:

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-110
Track Ruidoso Downs
Ruling Date: 7/23/2016

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-110

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 **July 22, 2016**, for failing to have registration papers on file for entry **Classy Attitude**, which resulted in a late scratch and mutuel refund of the **fifth race on July 1, 2016 at Ruidoso Downs**.

For this violation, the Board of Stewards assessed **Greg Green** a fine in the amount **of two hundred dollars (\$200.00)**. The fine is to be paid on or before **August 23, 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 **Greg Green** is found to be in violation of.

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.

16.47.1.10(C)(7) NMAC:

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

15.2.5.12(B) NMAC:

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-111
Track Ruidoso Downs
Ruling Date: 7/23/2016

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-111
Action Type: Initial Ruling
Ruling:

Trainer **Ron Stephens** having been duly notified and having **appeared before the Board Of Stewards on July 22, 2016, 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 **NM18614** taken from the **winner "Big Spurs"** following **the 2nd race, on June 3, 2016 at Ruidoso Downs in Ruidoso, NM.**

The original lab report indicated a finding of Phenylbutazone at **2.35 micrograms per milliliter in the blood** and confirmed in the split sample by **Texas A&M on June 30, 2016 at 2.45±.14 micrograms per milliliter in the blood. The allowable limit for Phenylbutazone is 2.0 micrograms per milliliter in the blood.**

Owners Astorga Racing (Hugo Astorga and Ivan Astorga) were duly notified and failed to appear for the hearing. They are the ownerS of record for horse "**Big Spurs**" which was the subject of the Phylbutazone positive.

Ron Stephens 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-111
Track Ruidoso Downs
Ruling Date: 7/23/2016

Licensee: STEPHENS, RONALD L

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

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 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:**

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 Ron Stephens a penalty as follows:

1.A (\$200) two hundred dollar fine to paid on or before August 23, 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.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-112
Track Ruidoso Downs
Ruling Date: 7/23/2016

Licensee: BENCOMO, THOMAS TEX
License Type: 2015 1 Year Exercise P Applicant Id: 157881
Date of Birth: 03/05/1991 License Number: 278917

Ruling # 2016-RUI-112

Action Type: Initial Ruling

Ruling:

The **exercise rider license #278917** issued to **Thomas Bencomo** is hereby rescinded without prejudice having been issued an apprentice jockey 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".

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-113
Track Ruidoso Downs
Ruling Date: 7/23/2016

Licensee: LEVARIO, JESSE LEE

License Type: 2014 3 Year Jockey Applicant Id: 32734
Date of Birth: 05/14/1991 License Number: 205991

Ruling # 2016-RUI-113

Action Type: Initial Ruling

Ruling:

Jockey Jesse Lee Levario having been duly notified, failing to appear, and having his hearing held in absentia before the Board of Stewards on July 23, 2016, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagements in the sixth race on July 1, 2016 at Ruidoso Downs.

For this rule violation, the Board of Stewards assessed Jesse Lee Levario a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before August 23, 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.

Jesse Lee Levario is found to be in violation of:

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.

15.2.5.13(C)(3) NMAC:

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

15.2.5.13(C)(1) NMAC:

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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-114
Track Ruidoso Downs
Ruling Date: 7/24/2016

Licensee: CASAUS, BRIAN T.

License Type: 2013 3 year Owner Applicant Id: 19125
Date of Birth: 09/23/1982 License Number: 56842

Ruling # 2016-RUI-114

Action Type: Initial Ruling

Ruling:

Owner **Brian Casaus** having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **July 24, 2016 at Ruidoso Downs** concerning a court judgment for \$4,725.06 owed to New Mexico Racetrack Associates.

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to **Brian Casaus** be suspended and that he be deemed ineligible for any future licensing in New Mexico until such time that full payment is made to New Mexico Racetrack Associates in the amount of \$4,725.06) one thousand two hundred and eighty six dollars.

Additionally, effective upon applicable suspension dates, all horses owned by **Brian Casaus** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

Owner **Brian Casaus** is found to be in violation of.

16.47.1.8 I (1) NMAC - Financial Responsibility

All persons engaged in racing shall maintain financial responsibility in matters pertaining to racing and the Parental Responsibility Act.

16.47.1.8 L NMAC- Grounds for Refusal, Denial, Suspension, or Revocation of License.

(1) The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measure, if the applicant:

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(L)(1)(h) NMAC:

Which states that "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued or order disciplinary measures, if the applicant is a person whose conduct or reputation may reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit to, disruptive or intemperate behavior or behavior which exposes otherS to danger anywhere on the racetrack grounds. The fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule."

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered 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."