



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-27
Track Ruidoso Downs
Ruling Date: 6/11/2017

Licensee: AMPARAN, FRANCISCO ALBERTO

License Type: 2017 3 Year Apprentice Applicant Id: 34486
Date of Birth: 02/26/1998 License Number: 285602

Ruling # 2017-RUI-27
Action Type: Initial Ruling
Ruling:

Apprentice Jockey, Francisco Amparan, having been summoned and having appeared before Board of Stewards on June 11, 2017, for careless riding during the running of the 9th race on June 10, 2017, at Ruidoso Downs, while aboard "Comic's Song" which resulted in his mount being disqualified from 5th place to 8th place. (Bore in sharply at the top of the stretch causing #1 "Accompany" to take up sharply and alter course.)

The Board of Stewards hereby assess Francisco Amparan a suspension of 4 race days (June 16, 2017, June 17, 2017, June 18, 2017, and June 19, 2017). Francisco Amparan is allowed to ride designated races.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(a) Thoroughbred Races 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."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.5.13(E)(3)(d) NMAC: Post to Finish The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

15.2.5.13(E)(4)(a) NMAC Disqualification. When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last

15.2.5.13(E)(3)(c) Post to Finish/15.2.5.13(E)(3)(d) Post to Finish/15.2.5.13(E)(4)(a) Disqualification/ 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority / 16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures /15.2.1.9(B)(9)

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-28
Track Ruidoso Downs
Ruling Date: 6/11/2017

Licensee: MARQUEZ, CHRIS DAVID
License Type: 2016 3 Year Trainer Applicant Id: 29989
Date of Birth: 02/08/1961 License Number: 281564

Ruling # 2017-RUI-28

Action Type: Initial Ruling

Ruling:

Trainer Chris Marquez having been duly notified and having appeared before the Board Of Stewards on June 11, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the following drugs: the class 4 penalty category C drug Dexamethasone, detected at a concentration of 93 pg/ml in the blood (allowable limit is 5 pg/ml in the blood), the class 2 penalty category B drug "Caffeine" detected at a concentration of 1,158 ng/ml in the blood (allowable limit is 100 ng/ml in the blood), and the class 4 penalty category C drug 4-Methylaminoatipyrene, a metabolite of Dipyrone, detected at a concentration of 260,352 ng/ml in the urine (allowable limit is 1000 ng/ml in the urine). These drugs were found in test sample NM26257 taken from the 1st place finisher "RS Corona First" following the 4th race, on April 14, 2017, at Sunland Park Racetrack in Sunland Park, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Chris Marquez.

Duclesnombres Gutierrez is the owner of record for horse "RS Corona First", he was duly notified and appeared for this hearing. In accordance with rules 15.2.6.9 (B)(2)(4) Penalty Recommendations, this is Mr. Gutierrez's FIRST Lifetime Class 2B medication violation and FIRST Class 4C medication violation (in a 365 day period).

Aggravating circumstances: Multiple medications were in the horse's system at the time of the race, the extremely high concentration level of 4-Methylaminoatipyrene, 4-Methylaminoatipyrene is not an FDA approved drug. It is a compounded drug and is manufactured outside of the United states. Mitigating Circumstances: trainers first medication violation

Considering the aggravating and mitigating circumstances, for Chris Marquez's FIRST Lifetime Class 2B medication violation and FIRST Class 4C medication violation in a 365 day period, the Board of Stewards assessed the following penalties:

1. Dexamethasone violation, A (\$1,000) one thousand dollar fine per 15.2.6.9 (B)(4) Penalty Recommendations.
2. Caffeine violation (considering AGGRIVATING and MITIGATING CURCUMSTANCES) A \$1,000 fine and 45 day suspension of all NMRC licenses starting June 22, 2017, through August 5, 2017, inclusive, Per 15.2.6.9 (B)(2) Penalty Recommendations.
3. 4-Methylaminoatipyrene violation (considering AGGRIVATING CIRCUMSTANCES) A (\$2,000) two thousand dollar fine and A 30 day suspension of all NMRC licenses starting August 6, 2017, through September 5, 2017, inclusive.

ALL fines are to be paid on or before July 11, 2017, in accordance with 15.2.3.8 (B)(3)(i) NMAC. Failure to pay fine in prescribed time may result in an immediate suspension. During said time of applicable suspension, Chris Marquez 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-c). Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Chris Marquez are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC. Licensee is found to be in violation of: 15.2.6.9(C)(1) : Prima Facie Evidence /16.47.1.8 (U)(1) PROTECTION OF HORSES/15.2.6.9 (L)(3)(C) Environmental contaminants and substances of human use: Regulatory Threshold for Caffeine- 100 ng/ml of plasma or serum/ 15.2.6.9(B)(2) Penalty/ recommendations/15.2.6.9 Attachment 2, Page 3 Threshold limit for Dexamethasone 5 pg/ml in the blood 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS/ 15.2.6.9 (F) (3) Dipyrone Levels: Uniform Classification Guidelines for Foreign Substances, Page 4- Classification of Dipyrone/15.2.6.9(H)(2) MEDICAL LABELING AND STATE STATUTES This ruling is written in accordance with: 15.2.6.9 CLASS 4 UNIFORM CLASSIFICATION GUIDELINES /Uniform Classification Guidelines for Foreign Substances, Page #2/ 15.2.6.11(A) NMAC: Trainer Responsibility/ 16.47.1.10(B)(1) NMAC: Absolute Insurer Trainer Responsibility/ 16.47.1.10 (C) (5) TRAINER RESPONSIBILITY/ 16.47.1.8 (L)(1)(i) - CONDUCT 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

David Smith

Julie Anthony

Kimberly



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-29
Track Ruidoso Downs
Ruling Date: 6/12/2017

Licensee: GUTIERREZ, DULCESNOMBRES

License Type: 2017 3 Year Owner Applicant Id: 45915
Date of Birth: 02/11/1957 License Number: 284871

Ruling # 2017-RUI-29

Action Type: Initial Ruling

Ruling:

Owner Duclesnombres Gutierrez having been duly notified and having appeared before the Board Of Stewards on June 11, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the following drugs: the class 4 penalty category C drug Dexamethasone, detected at a concentration of 93 pg/ml in the blood (allowable limit is 5 pg/ml in the blood), the class 2 penalty category B drug "Caffeine" detected at a concentration of 1,158 ng/ml in the blood (allowable limit is 100 ng/ml in the blood), and the class 4 penalty category C drug 4-Methylaminoatipyrine, a metabolite of Dipyrone, detected at a concentration of 260,352 ng/ml in the urine (allowable limit is 1000 ng/ml in the urine). These drugs were found in test sample NM26257 taken from the 1st place finisher "RS Corona First" following the 4th race, on April 14, 2017, at Sunland Park Racetrack in Sunland Park, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer, Chris Marquez.

Chris Marquez is the trainer of record for horse "RS Corona First", he was duly notified and appeared for this hearing. In accordance with rules 15.2.6.9 (B)(2)(4) Penalty Recommendations, this is Chris Marquez's FIRST Lifetime Class 2B medication violation and FIRST Class 4C medication violation (in a 365 day period).

For Duclesnombres Gutierrez's FIRST Lifetime Class 2B medication violation and FIRST Class 4C medication violation in a 365 day period, the Board of Stewards assessed a penalty as follows:

The horse "RS Corona First" is hereby disqualified from FIRST PLACE and ordered unplaced from the 4th race, on April 14, 2017, at Sunland Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

- 1) Buds Black Dahila
- 2) Imma Kettle Too
- 3) Joe Leen
- 4) Ima Party Boy
- 5) Jesse Art
- 6) Taco Bay
- 7) Royale For Reel
- 8) Ha Fearless Version

Unplaced "RS Corona First"

Licensee is found to be in violation of: 15.2.6.9(C)(1) : Prima Facie Evidence /16.47.1.8 (U)(1) PROTECTION OF HORSES/15.2.6.9 (L)(3)(C) Environmental contaminants and substances of human use: Regulatory Threshold for Caffeine- 100 ng/ml of plasma or serum/ 15.2.6.9(B)(2) Penalty/ recommendations/ 15.2.6.9 Attachment 2, Page 3 Threshold limit for Dexamethasone 5 pg/ml in the blood 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS/ 15.2.6.9 (F) (3) Dipyrone Levels: Uniform Classification Guidelines for Foreign Substances, Page 4- Classification of Dipyrone/15.2.6.9(H)(2) MEDICAL LABELING AND STATE STATUTES This ruling is written in accordance with: 15.2.6.9 CLASS 4 UNIFORM CLASSIFICATION GUIDELINES /Uniform Classification Guidelines for Foreign Substances, Page #2/ /15.2.3.8(B)(3)(k) Purse Redistribution /15.2.5.13(E)(4)(d) Unplaced horses/15.2.6.11(B) Trainer Responsibility/ 16.47.1.10 (C) (5) TRAINER RESPONSIBILITY/ 16.47.1.8 (L)(1)(i) - CONDUCT 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

Daniel Smith

Jill Calhoun

Kenzie Kim

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-30
Track Ruidoso Downs
Ruling Date: 6/12/2017

Licensee: VILLANUEVA, JUAN CARLOS

License Type: 2015 3 Year Jockey Applicant Id: 34058
Date of Birth: 09/04/1982 License Number: 279877

Ruling # 2017-RUI-30

Action Type: Initial Ruling

Ruling:

Jockey **JC Villanueva**, having been duly notified and having appeared before the Board of Stewards on **June 10, 2017**. The hearing was in regard to his excessive use of the whip on his mounts **"NESHI COME HOME" and "KING OF ART"**, who were both clearly out of contention with no chance of a better placing, during the running of the **7th and 10th races on June 9, 2017, at Ruidoso Downs**.

The Board of Stewards assess **JC Villanueva** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **July 9, 2017**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) Jockeys Notice of Hearing . **15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-31
Track Ruidoso Downs
Ruling Date: 6/12/2017

Licensee: BECERRA, JR SERGIO
License Type: 2017 3 Year Jockey
Date of Birth: 07/15/1994
Applicant Id: 32539
License Number: 284870

Ruling # 2017-RUI-31

Action Type: Initial Ruling

Ruling:

Jockey Sergio Becerra Jr., having been summoned and having appeared before the Board of Stewards on June 10, 2017, for failure to make sufficient effort away from the gate, to maintain his lane, while aboard "GO RO SHAM BO" in the 9th race on June 9, 2017, at Ruidoso Downs which resulted in the disqualification of his mount from 3rd place to 6th place.

The Board of Stewards hereby assess, Sergio Becerra Jr., a fine in the amount of two hundred dollars, (\$200.00). The fine is to be paid on or before July 12, 2017, in accordance with 15.2.3.8 (B) (3)(I). Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(3)(d) NMAC: Post to Finish (d) In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys
15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The 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

Steward

Steward

Steward



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-32
Track Ruidoso Downs
Ruling Date: 6/15/2017

Licensee: SANCHEZ, JUSTIN BOBBY

License Type: 2017 1 Year Groom Applicant Id: 159962
Date of Birth: 05/16/1994 License Number: 286148

Ruling # 2017-RUI-32

Action Type: Initial Ruling

Ruling:

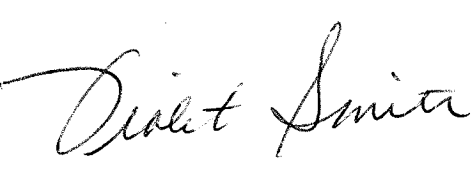
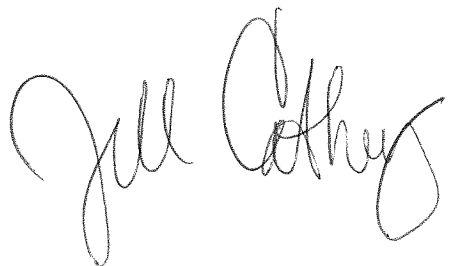
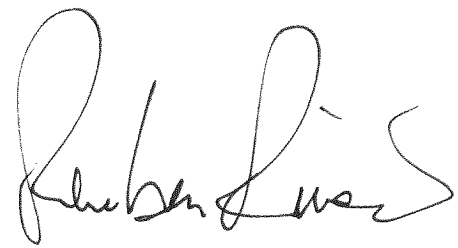
The **Groom License #286148** issued to **Justin Sanchez** is hereby **rescinded without prejudice** as he has been issued an **Security Staff** license on **June 13, 2017**.

This ruling is in accordance with:

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

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-33
Track Ruidoso Downs
Ruling Date: 6/16/2017

Licensee: HERNANDEZ, LUIS R
License Type: 2014 3 Year Trainer Applicant Id: 116716
Date of Birth: 06/08/1977 License Number: 184556

Ruling # 2017-RUI-33
Action Type: Initial Ruling
Ruling:

Trainer/Owner Luis R. Hernandez having been **duly notified and having appeared** before the Board of Stewards **on June 12, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC)** for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse **"Secret Mountain Pass" (Test Sample #: NM25513)**, who **was scratched in the 9th race on April 7, 2017, at Sunland Park Racetrack in Sunland Park, NM. Clenbuterol was confirmed in the urine of the split sample sent to Industrial Laborites on May 10, 2017.**

Luis R Hernandez and Juan Hernandez, the owners of record for horse **"Secret Mountain Pass"**, were duly notified and **Juan Hernandez failed** to appear for this hearing. In accordance with **15.2.1.9(B)(4)(d) Non-Appearance and 15.2.6.9 (B)(2) Penalty Recommendations**, this is **Luis R Hernandez and Juan Hernandez's FIRST Class 3B medication violation in a lifetime.**

Mitigating Circumstances: trainer has had no medication violations since December of 2015.

Considering the **MITIGATING CIRCUMSTANCES**, For **Luis R. Hernandez's THIRD Class 3B medication violation in a lifetime AS A TRAINER and FIRST Class 3B medication violation in a lifetime AS AN OWNER** issued in accordance with **15.2.6.9 (B)(2) Penalty Recommendations**, the Board of Stewards assessed a penalty as follows.

1. **A 6 month suspension** of all NMRC licenses starting **June 23, 2017, through December 22, 2017, inclusive.**
2. A (\$3,000) three thousand dollar fine to paid on or before **July 16, 2017**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay fine in prescribed time may result in an immediate suspension.
3. Pursuant to rules **15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(c), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d)**, the horse **"Secret Mountain Pass"** is placed on the Stewards list for a period of 60 days (beginning **April 18, 2017**). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

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

Licensee is found in violation of 15.2.6.9(C)(1-2-3) prima facie evidence /15.2.6.9(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample/ 16.47.1.8 (U)(1) PROTECTION OF HORSES/ 15.2.6.9. B.(2) Penalty Recommendations This ruling is written in accordance with

15.2.6.11(A) NMAC: Trainer Responsibility/16.47.1.10(B)(1) NMAC: Absolute Insurer /15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority /16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

Jul Carter

Debra Smith

Franklin



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-34
Track Ruidoso Downs
Ruling Date: 6/16/2017

Licensee: HERNANDEZ, JUAN R
License Type: 2014 3 Year Owner Applicant Id: 116717
Date of Birth: 10/21/1974 License Number: 184558

Ruling # 2017-RUI-34

Action Type: Initial Ruling

Ruling:

Owner Juan Hernandez having been **duly notified, failing to appear and had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) Non-Appearance**, before the Board of Stewards **on June 12, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC)** for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse "**Secret Mountain Pass**" (**Test Sample #: NM25513**), who **was scratched in the 9th race on April 7, 2017, at Sunland Park Racetrack in Sunland Park, NM. Clenbuterol was confirmed in the urine of the split sample sent to Industrial Laborites on May 10, 2017.**

Luis R Hernandez, the trainer and also part owner of record for horse "**Secret Mountain Pass**", was duly notified and appeared for this hearing. In accordance with **15.2.6.9 (B)(2) Penalty Recommendations**, this is **Luis R Hernandez's THIRD Class 3B medication violation in a lifetime AS A TRAINER and FIRST Class 3B medication violation in a lifetime AS AN OWNER.**

For **OWNER Juan Hernandez's FIRST Class 3B medication violation in a lifetime** issued in accordance with **15.2.6.9 (B)(2) Penalty Recommendations**, the Board of Stewards assessed a penalty as follows.

1. Pursuant to rules **15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(c), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d)**, the horse "**Secret Mountain Pass**" is placed on the Stewards list for a period of 60 days (beginning **April 18, 2017**). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

Licensee is found in violation of

15.2.6.9(C)(1-2-3) prima facie evidence /15.2.6.9(C)(3) There is no permissible concentration of clenbuterol that is allowed to appear in any official sample/ 16.47.1.8 (U)(1) PROTECTION OF HORSES/ 15.2.6.9. B.(2) Penalty Recommendations

This ruling is written in accordance with

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority /16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-35
Track Ruidoso Downs
Ruling Date: 6/17/2017

Licensee: RAMIREZ, ESGAR

License Type: 2017 3 Year Jockey Applicant Id: 12647
Date of Birth: 06/07/1983 License Number: 285063

Ruling # 2017-RUI-35

Action Type: Initial Ruling

Ruling:

Jockey Esgar Ramirez, having been duly notified and having appeared before the Board of Stewards on June 17, 2017, for his excessive and misuse of whip on his mount "HEZA CARTEL FLASH" during the post parade and running of the 6th race on June 16, 2017, at Ruidoso Downs.

Aggravating Circumstances: The Stewards and Placing Judge, Kenneth Mosley, witnessed the horse being struck six times during the post parade/warm-up and instructed the outrider to tell Esgar Ramirez to stop striking his horse. After being instructed to stop, Esgar Ramirez continued to strike the horse another nine times. Then, shortly before approaching the gate, Esgar Ramirez jabbed the butt of whip, three times, into the ribs of his mount. Furthermore, during the running of the race Esgar Ramirez struck his mount 22 times.

After considering AGGRIVATING CIRCUMSTANCES, the Board of Stewards hereby assess Esgar Ramirez a penalty in the amount of seven hundred and fifty hundred dollars (\$750.00). The fine is to be paid on or before July 17, 2017, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

16.47.1.8(U)(2) PROTECTION OF HORSES No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

This ruling is written in accordance with:

16.47.1.8 (L)(1)(i) – CONDUCT 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" 15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The 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 #: 2017-RUI-36
Track Ruidoso Downs
Ruling Date: 6/18/2017

Licensee: PADILLA, WILLIE C
License Type: 2015 3 Year Trainer Applicant Id: 20664
Date of Birth: 03/03/1943 License Number: 246706

Ruling # 2017-RUI-36

Action Type: Initial Ruling

Ruling:

Trainer Willie Padilla having telephonically waived his rights to a 10 day notice and formal hearing before the Board of Stewards on **June 17, 2017**, for failure to declare equipment (**Blinkers ON**) at time of entry for **"UMBER GIRL"**, entered in **the 3rd race on June 16, 2017, at Ruidoso Downs.**

The Board of Stewards assessed **Willie Padilla** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to paid on or before **July 18, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

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

15.2.5.13 (A)(6) Equipment For The Running Of The Race: No licensee may add blinkers to a horse's equipment or discontinue their use without the prior approval of the starter, the paddock judge, and the stewards.

15.2.6.11(E)(10)Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment and shoes

This ruling is written in accordance with:

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards

General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)

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

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By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-37
Track Ruidoso Downs
Ruling Date: 6/18/2017

Licensee: CALDERON, FRANCISCO

License Type: 2016 3 Year Jockey Applicant Id: 35440
Date of Birth: 03/10/1994 License Number: 281881

Ruling # 2017-RUI-37

Action Type: Initial Ruling

Ruling:

Jockey **FRANCISCO CALDERON**, having been duly notified **and having been represented by jockey Raul Herrera** before the Board of Stewards on **June 18, 2017**, for his excessive use of the whip on his mount **"DADDYS BLUSHING"** during the running of the **9th races on June 17, 2017, at Ruidoso Downs. (Francisco Calderon struck his mount 23 times going a distance of 350 yards.)**

The Board of Stewards assess **FRANCISCO CALDERON** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **July 18, 2017**, in accordance with **15.2.3.8 (B) (3)(I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

This ruling is written in accordance with:

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

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-38
Track Ruidoso Downs
Ruling Date: 6/18/2017

Licensee: PURCELL, KELSI KELSO

License Type: 2016 3 Year Jockey Applicant Id: 33369

Date of Birth: 08/05/1981 License Number: 284215

Ruling # 2017-RUI-38

Action Type: Initial Ruling

Ruling:

Jockey Kelsi Purcell having been summoned and appeared before the Board of Stewards on June 18, 2017, for failure to make sufficient effort to control her mount out of the gate "Im Bigtime Southern" in the 5th Race on June 17, 2017, at Ruidoso Downs. (bore out into the path of #6)

The Board of Stewards hereby assess, Kelsi Purcell, a fine in the amount of one hundred dollars, (\$100.00). This fine is to be paid on or before July 18, 2017 in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(d) NMAC: Post to Finish (d) In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse.

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish 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."

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards

Steward

Steward

Steward



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-39
Track Ruidoso Downs
Ruling Date: 6/18/2017

Licensee: RIVERA, ALONSO

License Type: 2014 3 Year Jockey

Applicant Id: 19096

Date of Birth: 07/31/1987

License Number: 206163

Ruling # 2017-RUI-39

Action Type: Initial Ruling

Ruling:

Jockey Alonso Rivera, having been duly notified and having been represented by jockey Raul Herrera before the Board of Stewards on June 18, 2017, for his misuse use of the whip on his mount "MAKE ME SEPARATE" during the post parade/ warm-up for the 7th race on June 17, 2017, at Ruidoso Downs. (Alonso Rivera struck his mount two times during the post parade/ warm-up.)

After reviewing the post parade film, the Board of Stewards hereby assess Alonso Rivera a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before July 18, 2017, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The 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 #: 2017-RUI-40
Track Ruidoso Downs
Ruling Date: 6/18/2017

Licensee: HERRERA, RAUL

License Type: 2017 3 Year Jockey

Date of Birth: 09/20/1990

Applicant Id: 46080

License Number: 286057

Ruling # 2017-RUI-40

Action Type: Initial Ruling

Ruling:

Jockey Raul Herrera having been summoned and appeared before the Board of Stewards on June 18, 2017, for failure to make sufficient effort to control his mount out of the gate "Big Daddy Rf" in the 5th Race on June 17, 2017, at Ruidoso Downs. (bore in squeezing inside horses)

The Board of Stewards hereby assess, Raul Herrera, a fine in the amount of one hundred dollars, (\$100.00). This fine is to be paid on or before July 18, 2017 in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: **Post to Finish** Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(d) NMAC: **Post to Finish (d)** In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse.

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: **Post to Finish** 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."

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-41
Track Ruidoso Downs
Ruling Date: 6/19/2017

Licensee: WILLIS, EDDIE D.

License Type: 2016 3 Year Trainer Applicant Id: 5410
Date of Birth: 07/07/1957 License Number: 282354

Ruling # 2017-RUI-41

Action Type: Initial Ruling

Ruling:

Trainer Eddie Willis having waived his rights to a 10 day notice and formal hearing before the Board of Stewards on **June 18, 2017**, for failure to have sufficient works for entry **"WEKNOWWHOUARE"** which resulted in a scratch in the **2nd race on June 17, 2017, at Ruidoso Downs.**

The Board of Stewards hereby assess **Eddie Willis** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **July 19, 2017**, in accordance with 15.2.3.8(B)(3)(l). Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.11(A) WORKOUT REQUIREMENTS

15.2.5.12 (L) HORSES INELIGABLE

16.47.1.10 (C)(18) TRAINER RESPONSIBILITY

This ruling is written in accordance with:

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-42
Track Ruidoso Downs
Ruling Date: 6/19/2017

Licensee: KEETON, TOBY L

License Type: 2015 3 Year Trainer Applicant Id: 11966
Date of Birth: 06/06/1964 License Number: 277466

Ruling # 2017-RUI-42

Action Type: Initial Ruling

Ruling:

Trainer **Toby Keeton**, having been duly notified **and having waived his rights to a 10 day notice and formal hearing** before the Board of Stewards on **June 19, 2017**, for instructing and allowing the mistreatment of his entry **"HEZA CARTEL FLASH"** during the post parade and running of the **6th race on June 16, 2017, at Ruidoso Downs. His actions resulted in his mount being struck by jockey, Esgar Ramirez, 18 times in post parade/warm-up and 22 times during the running of the race.**

Aggravating Circumstances: Giving jockey, Esgar Ramirez, instructions to strike and "warm-up" his entry **"HEZA CARTEL FLASH"**.

After considering **AGGRIVATING CIRCUMSTANCES**, the Board of Stewards hereby assess **Toby Keeton** a penalty in the amount of **seven hundred and fifty hundred dollars (\$750.00)**. The fine is to be paid on or before **July 19, 2017**, in accordance with **15.2.3.8(B)(3)(I) NMAC**. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

16.47.1.8(U)(2)PROTECTION OF HORSES No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

This ruling is written in accordance with:

16.47.1.8 (L)(1)(i) – CONDUCT The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing"

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

[Handwritten signatures: David Amier, Jeff Olson, and Kenner]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-43
Track Ruidoso Downs
Ruling Date: 6/19/2017

Licensee: GALVAN, JOSE LUIS

License Type: 2014 3 Year Trainer Applicant Id: 30172
Date of Birth: 04/27/1956 License Number: 206310

Ruling # 2017-RUI-43

Action Type: Initial Ruling

Ruling:

Trainer Jose Luis Galvan, having been duly notified and having waived his rights to a 10 day notice and formal hearing before the Board of Stewards on **June 19, 2017**, regarding a security citation for working unlicensed help, **Gabriel Cuevas-Lodoza, on June 18, 2017.**

The Board of Stewards assessed **Jose Luis Galvan** a penalty in the amount of **two hundred dollars (\$200)**. The fine is to be paid on or before **July 19, 2017**, in accordance with 15.2.3.8(B)(3)(l) NMAC. Failure to pay this fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

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

This ruling is written in accordance with:

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-44
Track Ruidoso Downs
Ruling Date: 6/19/2017

Licensee: BECERRA, JR SERGIO

License Type: 2017 3 Year Jockey Applicant Id: 32539
Date of Birth: 07/15/1994 License Number: 284870

Ruling # 2017-RUI-44

Action Type: Initial Ruling

Ruling:

Jockey Sergio Becerra Jr., having been duly notified and having appeared before the Board of Stewards on June 19, 2017, for his excessive use of the whip on his mount "MY COUSIN PERRY" during the running of the 4th races on June 17, 2017, at Ruidoso Downs. (Sergio Becerra Jr. struck his mount 21 times going a distance of 350 yards.)

The Board of Stewards assess Sergio Becerra Jr. a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before July 19, 2017, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) Jockeys Notice of Hearing 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority/ 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-45
Track Ruidoso Downs
Ruling Date: 6/19/2017

Licensee: RAMIREZ, RICARDO

License Type: 2015 3 Year Jockey

Date of Birth: 05/17/1985

Applicant Id: 31818

License Number: 277970

Ruling # 2017-RUI-45

Action Type: Initial Ruling

Ruling:

Jockey **Ricardo Ramirez**, having been summoned and having appeared before the Board of Stewards on **June 19, 2017**, for failure to make sufficient effort to control his mount out of the gate "**Sweet Special Cash**" in the **2nd race on June 16, 2017, at Ruidoso Downs.**

The Board of Stewards hereby assess, **Ricardo Ramirez**, a fine in the amount of **one hundred dollars, (\$100.00).** This fine is to be paid on or before **July 19, 2017**, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(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."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish 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."

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys/15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(c) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-46
Track Ruidoso Downs
Ruling Date: 6/19/2017

Licensee: GONZALEZ, RUBY

License Type: Applicant Id: 32240
Date of Birth: 06/14/1992 License Number:

Ruling # 2017-RUI-46

Action Type: Initial Ruling

Ruling:

Jockey Ruby Gonzalez, having been summoned and appeared before the Board of Stewards on June 17, 2017, for failure to make sufficient effort to control her mount "Cbbrookstonespecial" shortly after the start of the 2nd Race on June 16, 2017, at Ruidoso Downs.

The Board of Stewards hereby assess, Ruby Gonzalez, a fine in the amount of one hundred dollars, (\$100.00). This fine is to be paid on or before July 17, 2017 in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(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."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish 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."

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards

Steward

Steward

Steward



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-47
Track Ruidoso Downs
Ruling Date: 6/23/2017

Licensee: BUECHLER, SIMON JOHN

License Type:

Applicant Id: 27251

Date of Birth: 06/09/1951

License Number:

Ruling # 2017-RUI-47

Action Type: Initial Ruling

Ruling:

Trainer Simon Buechler, having been duly notified and having waived his right to a 10 day notice and formal hearing before the Board Of Stewards on June 23, 2017, 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 NM26480 taken from the winner "Bella Anatola" following the 9th race, on June 3, 2017 at Ruidoso Downs Racetrack in Ruidoso Downs, NM.

The original lab report indicated a finding of Phenylbutazone at 2.30 micrograms per milliliter in the blood, which exceeds the allowable limit of 2.0 micrograms per milliliter in the blood. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Simon Buechler.

Dana Buechler is the owner of record for horse "Bella Anatola". In accordance with 15.2.6.9 (C)(2)(b) NMAC, this is Dana Buechler FIRST Class 4C minor violation.

For this FIRST Class 4C medication violation issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed Simon John Buechler a penalty as follows:

1. A (\$250.00) Two hundred fifty dollar fine to be paid on or before July 23, 2017, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

Licensee is found to be in violation of: 15.2.6.9(C)(1-2-3) Prima Facie Evidence/15.2.6.9 (C)(3) PENALTY RECOMMENDATION

This ruling is written in accordance with: 15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES (4) Class 4 /15.2.6.11(A) NMAC: Trainer Responsibility/16.47.1.10(B)(1) NMAC: Absolute Insurer 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-48
Track Ruidoso Downs
Ruling Date: 6/23/2017

Licensee: REYES, FRANK

License Type: 2014 3 Year Jockey

Applicant Id: 116762

Date of Birth: 10/09/1990

License Number: 184679

Ruling # 2017-RUI-48

Action Type: Initial Ruling

Ruling:

Jockey, Frank Reyes, having been summoned and appeared before the Board of Stewards on June 23, 2017, for careless riding, while aboard "Dillwillgetit" in the sixth race, June 19, 2017, at Ruidoso Downs, which resulted in a disqualification of his mount from 1st place to 2nd place.

For this violation, the Board of Stewards assessed, Frank Reyes a suspension of 3 race days (July 07, July 8, and July 9th, 2017)

Licensee is found in violation of:

15.2.5.13(E)(2)(a) Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(a) Thoroughbred Races 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."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) Post to Finish/15.2.5.13(E)(3)(d) Post to Finish/15.2.5.13(E)(4)(a) Disqualification/ 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority / 16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures /15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-49
Track Ruidoso Downs
Ruling Date: 6/24/2017

Licensee: SILVA, LILLIAN NICHOLE

License Type: 2016 3 Year Trainer Applicant Id: 13206
Date of Birth: 09/22/1985 License Number: 282995

Ruling # 2017-RUI-49

Action Type: Initial Ruling

Ruling:

Trainer Lillian Silva having **been duly notified and appeared** before the Board of Stewards **on June 24, 2017**, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the **prohibited compounded** Class 3B drug stanozolol and its metabolite "16OH-stanozolol" detected in horse "**Ace Crystal Cartel**" (test sample #NC26410) **during Out Of Competition Testing on May 10, 2017, at Ruidoso Downs in Ruidoso, NM.** Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Lillian Silva.**

Jorge L. Morales, the owner of record for the horse "**Ace Crystal Cartel**", was duly notified and represented by **Jorge Morales Jr.** for the hearing. This is **Jorge L. Morales's FIRST Class 3B medication violation in a LIFETIME**, issued in accordance with **15.2.6.9.(B)(2)Penalty recommendations.**

MIDIGATING CIRCUMSTANCES: trainer has had no medication violations since November of 2014.

AGGRIVATING CIRCUMSTANCES: Stanozolol and "16OH-stanozolol" are prohibited drugs (15.2.6.9(G)(1)(3)ANDROGENIC-ANABOLIC STEROIDS). They are not FDA approved and are both compounded medications. All compounded medications are prohibited in the state of New Mexico per 15.2.6.9(H)(1)(2) MEDICAL LABELING.

After considering the **mitigating and aggravating circumstances**, for **Lillian Silva's FOURTH Class 3B medication violation in a LIFETIME**, the Board of Stewards assessed a penalty in accordance with **15.2.6.9.(B)(2)Penalty recommendations and 15.2.6.9.(B)(5) Multiple Violations** as follows.

1. A **6 MONTH suspension of all NMRC licenses starting July 5, 2017, through January 5, 2018, inclusive.**
2. **(\$2,500) two thousand and five dollar fine to paid on or before July 25, 2017**, in accordance with **15.2.3.8 (B)(3)(I) Fines Due.** Failure to pay fine in prescribed time may result in an immediate suspension.

During said time of applicable suspension, **Lillian Silva** 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. Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of **Lillian Silva** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC. **Licensee is found in violation of 15.2.6.9(C)(1-2-3) Prima Facie Evidence/15.2.6.9(G)(1)(3)ANDROGENIC-ANABOLIC STEROIDS(15.2.6.9(H)(1)(2) MEDICAL LABELING/ 15.2.6.9 J (1-6) OUT OF COMPETITION TESTING/15.2.6.9.(B)(2)Penalty recommendations / 15.2.6.9.(B)(5) Multiple Violations This ruling is written in accordance with 15.2.6.11(A) NMAC: Trainer Responsibility/ 16.47.1.10(B)(1) NMAC: Absolute Insurer 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES/16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

Dealett Smith *Jill Cathey*

Ken Beaman



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-50
Track Ruidoso Downs
Ruling Date: 6/24/2017

Licensee: MORALES, JORGE LUIS

License Type: 2014 3 Year Owner

Applicant Id: 8838

Date of Birth: 10/13/1974

License Number: 142644

Ruling # 2017-RUI-50

Action Type: Initial Ruling

Ruling:

Owner Jorge L. Morales having been duly notified and represented by Jorge Morales Jr. before the Board of Stewards on June 24, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the prohibited compounded Class 3B drug stanozolol and its metabolite "16OH-stanozolol" detected in horse "Ace Crystal Cartel" (test sample #NC26410) during Out Of Competition Testing on May 10, 2017, at Ruidoso Downs in Ruidoso, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer, Lillian Silva.

Lillian Silva, the trainer of record for the horse "Ace Crystal Cartel", was duly notified and appeared for this hearing. This is Lillian Silva's FOURTH Class 3B medication violation in a LIFETIME, issued in accordance with 15.2.6.9.(B)(2)Penalty recommendations and 15.2.6.9.(B)(5) Multiple Violations.

For Jorge L. Morales's FIRST Class 3B medication violation in a LIFETIME (15.2.6.9.(B)(2)Penalty recommendations), the Board of Stewards assessed a penalty as follows.

Pursuant to rules 15.2.6.9(C)(7)(b) Positive Test/ Steward's List, 15.2.6.9 (C)(8) Listing of Horses, 15.2.6.9(C)(9) Removal Requirements, and 15.2.3.8(B)(9)(e) Steward's List, the horse "Ace Crystal Cartel" was placed on the Stewards list for a period of 60 days (beginning May 25, 2017). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

Licensee is found in violation of 15.2.6.9(C)(1-2-3) Prima Facie Evidence/15.2.6.9(G)(1)(3)ANDROGENIC-ANABOLIC STEROIDS(15.2.6.9(H)(1)(2) MEDICAL LABELING/ 15.2.6.9 J (1-6) OUT OF COMPETITION TESTING/15.2.6.9.(B)(2)Penalty recommendations / 15.2.6.9.(B)(5) Multiple Violations

This ruling is written in accordance 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-51
Track Ruidoso Downs
Ruling Date: 6/25/2017

Licensee: CORDOVA, OSCAR

License Type: 2014 3 Year Jockey

Applicant Id: 31477

License Number: 184705

Ruling # 2017-RUI-51

Action Type: Initial Ruling

Ruling:

Jockey Oscar Cordova, having been duly notified **and having appeared** before the Board of Stewards on June 23, 2017, for his misuse use of the whip on his mount "SILVER SPIKE" during the post parade/ warm-up for the 2nd race on June 19, 2017, at Ruidoso Downs. (Oscar Cordova struck his mount (1 time) during the post parade/ warm-up.)

The Board of Stewards hereby assess Oscar Cordova a penalty in the amount of one hundred dollars (\$100.00). The fine is to be paid on or before July 25, 2017, in accordance with 15.2.3.8(B) (3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The 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

John Lathrop

Kenner Fries



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-52
Track Ruidoso Downs
Ruling Date: 6/25/2017

Licensee: THEDFORD, TANNER TROY
License Type: 2016 3 Year Jockey Applicant Id: 20419
Date of Birth: 07/30/1992 License Number: 282007

Ruling # 2017-RUI-52

Action Type: Initial Ruling

Ruling:

Jockey Tanner Thedford, having been duly notified and having appeared before the Board of Stewards on June 24, 2017, for his excessive use of the whip on his mount "BELLA BLUE ROSE" during the running of the 2ND race on June 23, 2017, at Ruidoso Downs. (Tanner Thedford struck his mount 17 times going a distance of 300 yards.)

The Board of Stewards assess Tanner Thedford a penalty in the amount of ONE hundred dollars (\$100.00). The fine is to be paid on or before July 25, 2017, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) Jockeys Notice of Hearing 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority/ 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards

Daniel Smith

[Signature]

[Signature]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-RUI-53
Track Ruidoso Downs
Ruling Date: 6/25/2017

Licensee: PARGA-LEOS, JAIME

License Type: 2017 3 Year Jockey

Applicant Id: 30593

License Number: 284865

Ruling # 2017-RUI-53

Action Type: Initial Ruling

Ruling:

Jockey **Jaime Parga Leos**, having been duly notified **and having appeared** before the Board of Stewards on **June 24, 2017**, for his excessive use of the whip on his mount **"MISTY BENZ"** during the running of the **2ND race on June 23, 2017, at Ruidoso Downs. (Jaime Parga Leos struck his mount 23 times going a distance of 300 yards.)**

The Board of Stewards assess **Jaime Parga Leos** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **July 25, 2017**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) Jockeys Notice of Hearing 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority/ 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Ruidoso Downs Stewards

Heidi Smith

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