



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-171
Track Sunland Park
Ruling Date: 3/20/2016

Licensee: GREEN, GREG ALLEN

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

Ruling # 2016-SUN-171

Action Type: Initial Ruling

Ruling:

Trainer Greg Green, having been duly summoned, failed to appear, and had a hearing held in absentia before the Board of Stewards on March 15, 2016, for failure to declare equipment BLINKERS OFF at time of entry on the horse Awesome Time entered in the third race, on Tuesday, March 1, 2016, at Sunland Park.

For this first rule violation, the Board of Stewards have assessed a written WARNING. The next violation will result in a fifty dollar (\$50.00) fine

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.

15.2.1.9(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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-172
Track Sunland Park
Ruling Date: 3/20/2016

Licensee: ESTRADA, SR SALVADOR Z
License Type: 2013 3 year Trainer Applicant Id: 12209
Date of Birth: 09/22/1940 License Number: 49727

Ruling # 2016-SUN-172

Action Type: Initial Ruling

Ruling:

Trainer Salvador Estrada, having been duly notified and appeared before the Board of Stewards on March 15, 2016, for entering horse **ONE QUICK BUDDY** in the wrong race on Feb. 25, 2016 at Sunland Park.

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

The fine is to be paid on or before April 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

Trainer 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;

15.2.1.9(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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-173
Track Sunland Park
Ruling Date: 3/20/2016

Licensee: GRISHAM, KENNETH MERLE
License Type: Applicant Id: 7221
Date of Birth: 01/23/1939 License Number:

Ruling # 2016-SUN-173

Action Type: Initial Ruling

Ruling:

Trainer, Kenneth Grisham, having been duly notified, and having appeared before the Board of Stewards on this date, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NM17856, after it was collected from the horse "A Blazin Flash" which finished second(2nd) in the 8th race, Saturday, October 17, 2015 at Zia Park. This horse is declared unplaced with the new order as follows; (The original lab report indicated a finding of Clenbuterol at a level of 88 pg/ml in the urine. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were sent to LL Industrial Laboratories and results came in at 54 pico grams per mil.)

Ken Grisham who was representing his owner Yaneth Cabrera 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 the suspension of authorized medications, as outlined in section 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, in 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 that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

For this violation, the Board of Stewards assessed Kenneth Grisham a penalty as follows:

- (1) A suspension of any/all NMSRC issued licenses for a period of 15 calendar days (March 30 through April 14th, 2016, Inclusive);
- (2) A fine in the amount of ~~one thousand~~ ^{five hundred} dollars (\$500.00.);
- (3) Loss of purse of the 8th race, second(2nd)) place date, October 17, 2015 at Zia Park.(1) Major Bite, (2) Jess Dahn, (3) Mahallo,
- (4) Ha Fearless Version, (5) Dh Jammin Jimmy, (6) Mas Ronpope, (7) Lady Bridget, unplaced- A Blazin Flash.
- (4) Horse must pass a commission approved examine before becoming eligible to be entered in a race.

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

During said time of applicable suspension, Kenneth Grisham 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 Kenneth Grisham 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 SUNLAND PARK BOARD OF STEWARDS



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-174
Track Sunland Park
Ruling Date: 3/20/2016

Licensee: BUECHLER, SIMON JOHN

License Type: 2015 3 Year Trainer Applicant Id: 27251
Date of Birth: 06/09/1951 License Number: 280322

Ruling # 2016-SUN-174

Action Type: Initial Ruling

Ruling:

Trainer **Simon Buechler** having appeared before the Board of Stewards on **March 18, 2016**, for missing Lasix and for horse, **Long Stormy Trip**, which resulted in a late scratch of said horse in the **3rd** race on **March 1, 2016** at Sunland Park.

For this violation, the Board of Stewards assessed **Simon Buechler** a fine in the amount of two hundred dollars, (\$200.00). This fine is aggravated because trainer also entered horse, LONG STORMY TRIP, in another race without permission of the Stewards.

The fine is to be paid on or before April 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

Trainer **Simon Buechler** 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.

15.2.1.9(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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-175
Track Sunland Park
Ruling Date: 3/20/2016

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-SUN-175

Action Type: Initial Ruling

Ruling:

Trainer Jose F. Ramirez, Sr., having been duly summoned, failed to appear, and had a hearing held in absentia before the Board of Stewards on March 15, 2016, for failure to declare equipment FLIPPING HALTER ON at time of entry on the horse Bank Dunit, entered in the third race, on Saturday, February 27, 2016, at Sunland Park Racetrack.

For this first rule violation, the Board of Stewards has assessed a written WARNING. The next violation may result in a fifty dollar (\$50.00) fine

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.

15.2.1.9(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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-176
Track Sunland Park
Ruling Date: 3/20/2016

Licensee: KELLEY, MICHAEL LELAND
License Type: 2015 1 Year Jockey Ag Applicant Id: 22983
Date of Birth: 01/12/1951 License Number: 278633

Ruling # 2016-SUN-176

Action Type: Initial Ruling

Ruling:

JOCKEY AGENT MICHAEL KELLEY, having been duly notified and appeared before the Board of Stewards on March 20, 2016, for entering horse **DESERT JACK** in the wrong race on March 1, 2016 is found to be in violation of NMRC rules.

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

The fine is to be paid on or before April 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

JOCKEY AGENT MICHAEL KELLEY 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;

15.2.1.9(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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-177
Track Sunland Park
Ruling Date: 3/20/2016

Licensee: ALDAVAZ, SR JAIME G.
License Type: 2013 3 year Trainer Applicant Id: 19631
Date of Birth: 05/01/1971 License Number: 57317

Ruling # 2016-SUN-177

Action Type: Initial Ruling

Ruling:

Trainer Jaime G. Aldavaz, Sr., having been duly summoned, appeared before the Board of Stewards on March 15, 2016, for failure to declare equipment FLIPPING HALTER ON at time of entry on the horse Rubye James, in the first race, on Sunday, February 28, 2016, at Sunland Park Racetrack.

For this first rule violation, the Board of Stewards has assessed a written WARNING. The next violation may result in a fifty dollar (\$50.00) fine

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.

15.2.1.9(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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-178
Track Sunland Park
Ruling Date: 3/20/2016

Licensee: CADENA, III EMILIO

License Type: 2013 3 year Trainer Applicant Id: 18884

Date of Birth: 11/25/1983 License Number: 56678

Ruling # 2016-SUN-178

Action Type: Initial Ruling

Ruling:

Trainer Emilio Cadena III, having been duly summoned, appeared before the Board of Stewards on March 15, 2016, for failure to declare equipment BLINKERS ON at time of entry on the horse Stepsun, in the seventh race, on Sunday, February 28, 2016, at Sunland Park Racetrack.

For this first rule violation, the Board of Stewards has assessed a written WARNING. The next violation may result in a fifty dollar (\$50.00) fine

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.

15.2.1.9(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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-179
Track Sunland Park
Ruling Date: 3/20/2016

Licensee: LOTTS, STEPHEN WAYNE

License Type: 2015 1 Year Pony Pers Applicant Id: 157813

Date of Birth: 09/21/1964 License Number: 278688

Ruling # 2016-SUN-179

Action Type: Initial Ruling

Ruling:

License #280229 and #278688 1 yr Pony Person and 1 yr Groom issued to STEPHEN WAYNE LOTTS have been suspended after having been duly summoned, failing to appear, and having hearing held in absentia before the Board of Stewards on March 12, 2016 regarding failure to pay fines and violation probation accessed in ruling 2016-SUN-72;

STEPHEN WAYNE LOTTS is found to be in violation of:

16.47.1.8(L)(1)(h) NMAC: Which states in pertinent part "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued or order disciplinary measures, if the applicant is a person whose conduct or reputation may reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds. The fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule."

15.2.1.9 (B)(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".

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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-180
Track Sunland Park
Ruling Date: 3/20/2016

Licensee: MARQUEZ, JESUS ELIAS

License Type: Trainer Applicant Id: 33006
Date of Birth: 12/03/1978 License Number: 81802

Ruling # 2016-SUN-180

Action Type: Initial Ruling

Ruling:

Trainer Jesus E Marquez, having signed the stipulated agreement in person on January 11, 2016 with investigator Raymond Romero regarding a confirmed positive test for the CLASS 4C drug "Dexamethasone", which was found in sample NM15601, after it was collected from the horse "HP CLASSIC SIGN" which finished first in the 3rd Race at Ruidoso Downs on August 8th 2015.

(The original lab report indicated a finding of Dexamethasone at 421 pg/ml. The allowable limit is 5.0 pg/ml. Split sample rights, as provided in 15.2.6.10(D) NMAC were offered and waived).

Gerardo B Martinez is the owner of record for horse HP CLASSIC SIGN

Jesus E Marquez, is found to be in violation of:

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. **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:Dexamethasone (**5pg/ml in the plasma or serum**). **Reference ARCI Controlled Therapeutic Medication Schedule – Version 2.2, Revised April 2015.** The level for Dexamethasone is 5 picograms per milliliter of plasma or serum.**5.2.6.9.**

MEDICATIONS AND PROHIBITED SUBSTANCES: The "uniform" classification guidelines for foreign substances and recommended penalties and model rule", April 2015 version 9.00 and "arci controlled therapeutic medication schedule", version 2.2 revised April, 2015 (furosemide has been modified in the "arci controlled therapeutic medication schedule, refer to Subsection E. of 15.2.6.9 NMAC for current rule) as issued by the association of racing commissioners international, are incorporated by reference. Upon a finding of a violation of any medication and prohibited substances rule which includes the possession of contraband as listed in 15.2.6.9. NMAC, the stewards shall consider the classification level of the violation as listed at the time of the violation by the uniform classification guidelines of foreign substances as promulgated by the association of racing commissioners international and impose penalties and disciplinary measures as determined by the New Mexico racing commission. **5.2.6.9. D. MEDICATION RESTRICTIONS:(1)** A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include: drugs or medications for which no acceptable levels have been established; therapeutic medications in excess of established acceptable levels; substances present in the horse in excess of levels at which such substances could occur naturally; substances foreign to a horse at levels that cause interference with testing procedures.**(2)** Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioner's international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit.**(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.

For this violation, the Board of Stewards assessed Jesus E Marquez, a penalty.

1. A fine in the amount of five hundred dollar (\$500.00) to be paid within 60 days either on or before April 20, 2016, in accordance with 15.2.3.8(B)(3)(l) NMAC failure to pay fine may result in suspension of all NMRC licenses.

(Per the terms of a signed Stipulated Settlement Agreement, this is considered a first offense positive test violation in the past 365 day period, and is issued in accordance with 15.2.6.9 (C)(2) NMAC. Jesus E Marquez furthermore knowingly, intentionally, and voluntarily waives any/all appeal rights, including any judicial appeal regarding this matter).

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-181
Track Sunland Park
Ruling Date: 3/20/2016

Licensee: MILLIGAN, ALLEN L

License Type: Applicant Id: 11280
Date of Birth: 07/07/1966 License Number:

Ruling # 2016-SUN-181

Action Type: Initial Ruling

Ruling:

Trainer, Allen Milligan, having been duly notified, and having appeared by telephone before the Board of Stewards **March 19, 2016** regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class 4C drug "Methylprednisolone", which was found in sample NM15337, after it was collected from the horse "COWGIRL IN LOVE" which participated in 9th race November 15, 2015 at ZIA PARK.

(The original lab report indicated a finding of Methylprednisolone at a level of 341 pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded and waived). Paul J. Ragali Jr., is the recorded owner of horse COWGIRL IN LOVE and was duly notified by mail of this hearing. Allen Milligan is found to be in violation of:

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. **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: **First offense (Trainer)** in a Class C category (365-day period) in any jurisdiction in the following levels, the penalty is a minimum fine of \$1,000. **Reference ARCI Controlled Therapeutic Medication Schedule - Version 2.1, Revised April 17, 2014.** The level for Methylprednisolone is 100 picograms per milliliter of plasma or serum.(4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. Penalties will run consecutively for a trainer and owner.**15.2.6.9. MEDICATIONS AND PROHIBITED SUBSTANCES:** The "uniform" classification guidelines for foreign substances and recommended penalties and model rule", April 2015 version 9.00 and "arci controlled therapeutic medication schedule", version 2.2 revised April, 2015 (furosemide has been modified in the "arci controlled therapeutic medication schedule, refer to Subsection E. of 15.2.6.9 NMAC for current rule) as issued by the association of racing commissioners international, are incorporated by reference. Upon a finding of a violation of any medication and prohibited substances rule which includes the possession of contraband as listed in 15.2.6.9. NMAC, the stewards shall consider the classification level of the violation as listed at the time of the violation by the uniform classification guidelines of foreign substances as promulgated by the association of racing commissioners international and impose penalties and disciplinary measures as determined by the New Mexico racing commission. **15.2.6.9. D. MEDICATION RESTRICTIONS:**(1) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include: drugs or medications for which no acceptable levels have been established; therapeutic medications in excess of established acceptable levels; substances present in the horse in excess of levels at which such substances could occur naturally; substances foreign to a horse at levels that cause interference with testing procedures.(2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioner's international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit.(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.**16.47.1.10. B. ABSOLUTE INSURER.**(1) 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 horses. 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 a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties.(2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.(3) A trainer whose horse has been claimed remains the absolute insurer for the race in which the horse is claimed.For this violation, the Board of Stewards assessed Allen Milligan a penalty as follows:

(1) A fine in the amount of one-thousand dollars (\$1,000.00.);

(2) The Commission Approved exam for horse COWGIRL IN LOVE is hereby waived due to mitigating circumstances, four months have passed since the confirmed test and drug is out of horse's system.

This is a first offense positive test violation in the past 365 day period, and is issued in accordance with 15.2.6.9 (C)(2) NMAC. The fine is to be paid on or before **APRIL 20, 2016** in accordance with 15.2.3.8(B)(3)(I) 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-182
Track Sunland Park
Ruling Date: 3/21/2016

Licensee: MERAZ, JOSE EFREN

License Type: 2016 3 Year Trainer Applicant Id: 33540
Date of Birth: 10/01/1974 License Number: 280814

Ruling # 2016-SUN-182

Action Type: Initial Ruling

Ruling:

Trainer, Jose Efrain Meraz, having been duly notified, and appeared before the Board of Stewards on , regarding a confirmed positive test for the class IV,C drug Methylprednisolone, which was found in sample NM17037, after it was collected from the horse "Camana Bay" which finished second in the 3th race, Monday, September 26th , 2015, at Zia Park. (The original lab report indicated a finding of 610 pg/ml. This exceeds the allowable limits of 100 pg/ml. Split sample rights were afforded, as provided in 15.2.6.10 (D) NMAC but denied by trainer, Jose Efrain Meraz

Sergio Hermosillo is the recorded Owner of the horse "Camana Bay", who was represented by Trainer, Jose Efrain Meraz.
Trainer ,Jose E. Meraz is found to be in violation of:

15.2.6.9 NMAC:

Class 4- This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have limited ability to do so.

D. Medication restrictions:

(1) A finding by the commission approve laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facia 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 the race. Prohibited substances include: drugs or medications for which have no acceptable levels have been established; therapeutic medications in excess of established acceptable levels: substances present in a horse that exceed the acceptable levels as which such substances could occur naturally; substances foreign to a horse at levels that cause interference with testing procedure

(2) Drug or medications are permissible provided, the drug or medication is listed by The Association of Racing Commissioners International's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit.

As such, the following applies:

15.2.6.9 (C) NMAC: Which states "Category C penalties will be assessed a licensed trainer for violations due to the presence of a drug carrying a Category C penalty: Second(2nd) offense within a 365 day period in any jurisdiction shall be disqualification, loss of purse, and the horse must pass a Commission-approved examination before becoming eligible to be entered".

For this violation, the Board of Stewards assessed Jose Efrain Meraz a penalty of:

(1)Fifteen hundred dollar (\$1500.00) fine to be paid within a thirty day period.

(2) A 15 day suspension starting on March 22 thru April 6, 2016. He signed a waiver to appeal this ruling.

(3) loss of purse new order of finish of this race is as follows;(1) Double O Seven B (2) Six Episodes,(3) Faith Mountain,(4) Little Reba Corona, (5) Stormy Red Morning, (6) Flowered Up, (7) Heza Fast Snow,(8), First Down McLaren B, (9) Crios, Unplaced—Camana Bay

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

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

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-183
Track Sunland Park
Ruling Date: 3/22/2016

Licensee: GONZALEZ, SERGIO JAVIER
License Type: 2015 3 Year Trainer Applicant Id: 6935
Date of Birth: 09/01/1969 License Number: 279240

Ruling # 2016-SUN-183

Action Type: Initial Ruling

Ruling:

Trainer, Sergio J. Gonzalez, having been duly notified, and having appeared telephonically before the Board of Stewards on this date, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NM18438, after it was collected from the horse "Pinch Hitter" which finished second(2nd) in the 3rd race, Saturday, November 7, 2015 at Zia Park. (The original lab report indicated a finding of Clenbuterol at a level of 542 pg/ml in the urine. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were denied by Sergio J. gonzalez.)

Sergio J. Gonzalez who was representing his owner Jaime Bujanda 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 the suspension of authorized medications, as outlined in section 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, in 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 that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

For this violation, the Board of Stewards assessed Kenneth Grisham a penalty as follows:

- (1) A suspension of any/all NMSRC issued licenses for a period of 60 calendar days (March 29 through May 28, 2016, Inclusive);
- (2) A fine in the amount of one-thousand dollars (\$1000.00.);
- (3) Loss of purse of the 8th race, second (2nd) place date, October 17, 2015 at Zia Park. New order of finish is (1) Zoom to Cash, (2) The Maui Corona, (3) Sheldon Cooper, (4) See Jess Runnin, (5) Sr Corona Crazy, (6) Corona Perry, (7) Dash Kicker, (8) Superior Bug, (9) Jessedr, Unplaced—Pinch Hitter

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

During said time of applicable suspension, Kenneth Grisham 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 Kenneth Grisham 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 SUNLAND PARK BOARD OF STEWARDS



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-184
Track Sunland Park
Ruling Date: 3/22/2016

Licensee: ASHFORD, JR H. RAY

License Type: 2013 3 year Trainer Applicant Id: 35066

Date of Birth: 02/08/1971 License Number: 64746

Ruling # 2016-SUN-184

Action Type: Initial Ruling

Ruling:

Trainer H. Ray Ashford, having been duly notified and waived his 10 day notice of hearing, appeared before the Board of Stewards on March 20, 2016, for entering ineligible horse **My Majestic** in the 3rd race on March 8, 2016 and is found to be in violation of NMRC rules.

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

The fine is to be paid on or before April 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 H. Ray Ashford 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;

15.2.1.9(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 Sunland Park Stewards