



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-40  
Track Sunland Park  
Ruling Date: 1/19/2018

Licensee: VEGA-VELARDE, RAUL

License Type: 2016 3 Year Trainer      Applicant Id: 9954  
License Number: 282479

Ruling # 2018-SUN-40

Action Type: Initial Ruling

Ruling:

Trainer **Raul Vega**, was duly notified and **represented by attorney Daniel Marquez** before the Board of Stewards **on January 19, 2018, for a hearing that was continued from January 7, 2018, (at the request of Daniel Marquez)**. The hearing was in regard to an affidavit from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the prohibited Class 3B drug "clenbuterol" detected in horse "**Not Holding Back**" (test sample #NC26355) **during Out Of Competition Testing on February 6, 2017, at Sunland Park Racetrack in Sunland Park NM .** Clebuterol was confirmed in the Split Sample sent to **Industrial Laborites on May 4, 2017.**

**Juan Poblano and Ricardo A. Bernal** were the owners of record for horse "**Not Holding Back**". **Juan Poblano** was duly notified and **appeared with attorney Daniel Marquez** for this hearing. **Ricardo A. Bernal** was duly notified and failed to appear for this hearing. In accordance with **15.2.6.9 (B)(2) Penalty Recommendations**, this is **Juan Poblano's FOURTH class 3B medication violation in a lifetime and Ricardo A. Bernal's SECOND class 3B medication violation in a lifetime.**

**For Raul Vega's THIRD Class 3B medication violation in a lifetime, issued in accordance with 15.2.6.9 (B) (2) Penalty Recommendations, the Board of Stewards issue a penalty as follows.**

1. **A 6 month suspension of all NMRC licenses starting January 28, 2018, through July 28, 2018, inclusive.**
2. **(\$2,500) two thousand and five hundred dollar fine to paid on or before February 20, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.**

**During said time of applicable suspension, Raul Vega 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. Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Raul Vega are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c).**  
**Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(3)(7)(c)(8) Medication Restrictions/ 15.2.6.9(J)(2)(d)(3) Out of Competition Testing/ 16.47.1.8(L)(i)(T)Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license/ 15.2.6.10(B)(1)(2) Absolute insurer/ 15.2.6.9 (B)(2) Penalty Recommendations**

By Order of The Sunland Park Stewards

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



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-41  
Track Sunland Park  
Ruling Date: 1/19/2018

Licensee: POBLANO, JUAN ERNESTO

License Type: 2016 3 Year Owner      Applicant Id: 35356  
License Number: 282543

Ruling # 2018-SUN-41

Action Type: Initial Ruling

Ruling:

Co-owner Juan Poblano was duly notified and represented by attorney Daniel Marquez before the Board of Stewards on January 19, 2018, for a hearing that was continued from January 7, 2018, (at the request of Daniel Marquez). The hearing was in regard to an affidavit from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the prohibited Class 3B drug "clenbuterol" detected in horse "Not Holding Back" (test sample #NC26355) during Out Of Competition Testing on February 6, 2017, at Sunland Park Racetrack in Sunland Park NM. Clebuterol was confirmed in the Split Sample sent to Industrial Laborites on May 4, 2017.

Ricardo A. Bernal, the co-owner of record for horse "Not Holding Back", was duly notified and failed to appear for this hearing. In accordance with 15.2.6.9 (B)(2) Penalty Recommendations, Ricardo A. Bernal's SECOND class 3B medication violation in a lifetime.

Raul Vega, the trainer of record for horse "Not Holding Back", was duly notified and represented by attorney Daniel Marquez for this hearing. In accordance with 15.2.6.9 (B)(2) Penalty Recommendations This is Raul Vega's THIRD Class 3B medication violation in a lifetime.

For Co-owner Juan Poblano's FOURTH Class 3B medication violation in a lifetime, issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards issue a penalty as follows.

1. A (\$5,000) five thousand dollar fine to paid on or before February 20, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.
2. 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 "Not Holding Back" was placed on the Stewards list for a period of 60 days (beginning April 19, 2017). During this period, the papers were 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 and this ruling is written in accordance with: 15.2.3.8(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(1)(3)(7)(c)(8) Medication Restrictions/ 15.2.6.9(J)(2)(d)(3) Out of Competition Testing/ 16.47.1.8(L)(i)(T) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license/ 15.2.6.9 (B)(2) Penalty Recommendations

By Order of The Sunland Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-42  
Track Sunland Park  
Ruling Date: 1/20/2018

Licensee: GEVARA, RENE

License Type: 2016 3 Year Trainer      Applicant Id: 11288  
License Number: 284149

Ruling # 2018-SUN-42

Action Type: Initial Ruling

Ruling:

Trainer **Rene Gevara**, was duly notified **and responded telephonically for** a hearing before the Board of Stewards **on January 13, 2018**. The hearing was in regard to **an affidavit** 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 "**Nieves de Enero**" (**Test Sample #: NM30200**), who **finished 1st place in the 5th race on November 25, 2017, at Zia Part Racetrack in Hobbs, NM**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Rene Gevara**.

**Marcelino Gonzalez**, the **owner** of record for horse "**Nieves de Enero**", was duly notified and failed to appear for this hearing. This is **Marcelino Gonzalez's FIRST Class 3B medication violation in a lifetime**.

For **Rene Gevara's THIRD Class 3B medication violation in a lifetime**, the Board of Stewards assessed a penalty issued in accordance with **15.2.6.9 (B)(2) Penalty Recommendations** as follows:

1. **A 120 day suspension** of all NMRC licenses starting **January 13, 2018 through May 12, 2018, inclusive**.
2. A (\$3,000) three thousand dollar fine to paid on or before **February 20, 2018**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay fine in prescribed time may result in an immediate suspension.

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

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

*Jim Coffey*

*Ron Walker*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-43  
Track Sunland Park  
Ruling Date: 1/20/2018

Licensee: GONZALEZ, MARCELINO

License Type: 2015 3 Year Owner      Applicant Id: 158234  
License Number: 279929

Ruling # 2018-SUN-43

Action Type: Initial Ruling

Ruling:

Owner Marcelino Gonzalez was duly notified, failed 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 January 13, 2018. The hearing was in regard to an affidavit 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 "Nieves de Enero" (Test Sample #: NM30200), who finished 1st place in the 5th race on November 25, 2017, at Zia Part Racetrack in Hobbs, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Rene Gevara.

Rene Gevara, the trainer of record for horse "Nieves de Enero", was duly notified and responded telephonically for this hearing. This is Rene Gevara's THIRD Class 3B medication violation in a lifetime.

For Marcelino Gonzalez's FIRST Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e) Stewards List, 15.2.6.9(C)(7)(c) Positive Test Report, 15.2.6.9(C)(8) Positive Test List, 15.2.6.9(C)(9)(a-d) List Removal Requirements, the horse "Nieves de Enero" is placed on the Stewards list for a period of 60 days (beginning December 12, 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.
2. The horse "Nieves de Enero" is hereby disqualified from FIRST PLACE and ordered unplaced from the 5th race on November 25, 2017, at Zia Part Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Famous Corona Nueve
2. Meleros Terror
3. Frangellica
4. Flash of Victory
5. Slew By Nueve
6. Blue Eyes Covertgirl
7. Jans Cartel

Unplaced "Nieves de Enero"

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

*Robert Smith*

*Jim Carter*

*Bob Walker*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-44  
Track Sunland Park  
Ruling Date: 1/20/2018

Licensee: MEGARIZ,III MICHAEL

License Type: 2015 3 Year Trainer      Applicant Id: 16966  
License Number: 279624

Ruling # 2018-SUN-44

Action Type: Initial Ruling

Ruling:

Trainer **Michael Megariz III** was duly notified and appeared for a hearing before the Board of Stewards on January 20, 2018. The hearing was in regard to an affidavit from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for drug "Caffeine" (drug class 2, penalty B) detected in horse "**Kick Some Dash**"(Test Sample NM30204), who finished 1st place in the 7th race on November 25, 2017, at Zia Park Racetrack in Hobbs, NM.

The original lab report indicated a finding of Caffeine at a level of 164 ng/ml in the blood, which exceeds the regulatory threshold limit for Caffeine of 100 ng/ml in the blood (15.2.6.9 (L)(3)(C)). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Michael Megariz III.

Jorge Carrillo, the owner of record for horse "**Kick Some Dash**", was duly notified and responded telephonically for this hearing. This is Jorge Carrillo's FOURTH Penalty B medication violation in a lifetime.

For Michael Megariz III's SECOND Penalty B medication violation, issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards hereby assess a penalty as follows.

1. A 90 day suspension of all NMRC licenses starting January 20, 2018, through April 20, 2018, inclusive.
2. (\$1,500) one thousand and five hundred dollar fine to paid on or before February 20, 2018, 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, Michael Megariz III 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), and 15.2.3.8 (B)(3) (f). Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Michael Megariz III 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 and this ruling is written in accordance with:

15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Trainer Responsibility/15.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)(2) Penalty Recommendations **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  
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Ruling #: 2018-SUN-45  
Track Sunland Park  
Ruling Date: 1/20/2018

Licensee: CARRILLO-GOMEZ, PEDRO

License Type: 2016 3 Year Owner      Applicant Id: 33606  
License Number: 283115

Ruling # 2018-SUN-45

Action Type: Initial Ruling

Ruling:

issued in error

By Order of The Sunland Park Stewards

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

*Debra Smith*

*Jim Carter*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-46  
Track Sunland Park  
Ruling Date: 1/20/2018

Licensee: AMPARAN, FRANCISCO ALBERTO

License Type: Applicant Id: 34486  
License Number:

Ruling # 2018-SUN-46

Action Type: Initial Ruling

Ruling:

Apprentice Jockey, **Francisco Amparan**, having been summoned and having appeared before the Board of Stewards on January 20, 2018, for careless riding during the running of the 8th race on January 13, 2018, at Sunland Park Racetrack, while aboard "THE WAKI RAPPER".

The Board of Stewards hereby suspends **Francisco Amparan** for 7 calendar days (January 28, 2018, through February 3, 2018). **Aldo Arboleda IS** allowed to ride designated races. (Bore out under left hand whip, bumping outside horses).

*Licensee is found in violation of and this ruling is written in accordance with:*

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

15.2.1.9(B)(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 Sunland Park Stewards

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



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: 2018-SUN-47  
Track Sunland Park  
Ruling Date: 1/20/2018

Licensee: BERNAL, RICARDO ANDRES  
License Type: 2016 3 Year Owner Applicant Id: 11650  
License Number: 281903

Ruling # 2018-SUN-47

Action Type: Initial Ruling

Ruling:

Co-owner **Ricardo A. Bernal** was duly notified, failed 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 January 19, 2018, for a hearing that was continued from January 7, 2018, (at the request of Daniel Marquez)**. The hearing was in regard to an affidavit from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the prohibited Class 3B drug "clenbuterol" detected in horse "**Not Holding Back**" (**test sample #NC26355**) **during Out Of Competition Testing on February 6, 2017, at Sunland Park Racetrack in Sunland Park NM**. Clebuterol was confirmed in the Split Sample sent to **Industrial Laborites on May 4, 2017**.

**Juan Poblano**, the co-owner of record for horse "**Not Holding Back**", was duly notified and **represented by attorney Daniel Marquez** for this hearing. In accordance with **15.2.6.9 (B)(2) Penalty Recommendations**, **Juan Poblano's FOURTH class 3B medication violation in a lifetime**.

**Raul Vega**, the **trainer** of record for horse "**Not Holding Back**", was duly notified and **represented by attorney Daniel Marquez** for this hearing. In accordance with **15.2.6.9 (B)(2) Penalty Recommendations** This is **Raul Vega's THIRD** Class 3B medication violation in a lifetime.

**For Co-owner Ricardo A. Bernal's SECOND Class 3B medication violation in a lifetime, issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations**, the Board of Stewards issue 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 "**Not Holding Back**" was placed on the Stewards list for a period of 60 days (beginning **April 19, 2017**). During this period, the papers were 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 and this ruling is written in accordance with:** 15.2.3.8(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(3)(7)(c)(8) Medication Restrictions/ 15.2.6.9(J)(2)(d)(3) Out of Competition Testing/ 16.47.1.8(L)(i)(T)Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license/ 15.2.6.9 (B)(2) Penalty Recommendations

By Order of The Sunland Park Stewards

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

*Daniel Amier*

*[Signature]*





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-48  
Track Sunland Park  
Ruling Date: 1/21/2018

Licensee: SAUCEDO, RENE

License Type: Applicant Id: 23294  
License Number:

Ruling # 2018-SUN-48

Action Type: Initial Ruling

Ruling:

**Trainer Rene Saucedo**, was duly notified and appeared before the Board of Stewards on **January 21, 2018**, for the falsification of federal forms (health certificates) for **the horse "Flashin Lights" on December 21, 2017, and the horse "Straw Fly Flower" on December 29, 2017, at the Sunland Park Racetrack.**

The Board of Stewards hereby assess **Rene Saucedo** a penalty of:

1. A fine in the amount of **three thousand and five hundred dollars (\$3,500.00)**. The fine is to be paid on or before **February 23, 2018**, in accordance with 15.2.3.8(B)(3)(l). Failure to pay the fine within the time prescribed may result in immediate suspension.
2. A **6 month suspension** of all NMRC licenses starting **January 21, 2018, through July 19, 2018, inclusive.**

During said time of applicable suspension, **Rene Saucedo** 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). Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care of **Rene Saucedo** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c).

**Licensee is found to be in violation of and this ruling is written in accordance with :16.47.1.8(L)(1)(f) CONDUCT MAKING FALSE OR MISLEADING STATEMENTS/16.47.1.8 (L)(1)(i) – CONDUCT DETRIMENTAL TO 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**

By Order of The Sunland Park Stewards

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



New Mexico Racing Commission  
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Ruling #: 2018-SUN-49  
Track Sunland Park  
Ruling Date: 1/21/2018

Licensee: GONZALEZ, JR JOSE R

License Type: 2017 3 Year Trainer      Applicant Id: 32929  
License Number: 284813

Ruling # 2018-SUN-49

Action Type: Initial Ruling

Ruling:

Trainer **Jose R. Gonzalez Jr.** was duly notified and appeared for a hearing before the Board of Stewards on **January 19, 2018**. The hearing was in regard to **Jose R. Gonzalez Jr.** failing to appear in paddock with entry, "**OL WINEDRINKER WHO**", which resulted in a late scratch and mutuel refund in the **4th race on December 24, 2017, at Sunland Park Racetrack.**

The Board of Stewards hereby fine **Jose R. Gonzalez Jr.** in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **February 21, 2018**, in accordance with 15.2.3.8(B)(3) (I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

**Licensee is found in violation of and ruling in written in accordance with .**

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

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 Sunland Park Stewards

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

*David Smith*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-50  
Track Sunland Park  
Ruling Date: 1/23/2018

Licensee: CARRILLO, JORGE LUIS

License Type: 2017 3 Year Owner      Applicant Id: 29712  
License Number: 285465

Ruling # 2018-SUN-50

Action Type: Initial Ruling

Ruling:

Owner **Jorge Carrillo** was duly notified and responded telephonically for a hearing before the Board of Stewards **on January 20, 2018**. The hearing was in regard to an affidavit from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for drug "Caffeine" (drug class 2, penalty B) detected in horse "**Kick Some Dash**" (**Test Sample NM30204**), who **finished 1st place in the 7th race on November 25, 2017, at Zia Park Racetrack in Hobbs, NM.**

The original lab report indicated a finding of **Caffeine at a level of 164 ng/ml in the blood**, which exceeds the regulatory threshold limit for Caffeine of 100 ng/ml in the blood **(15.2.6.9 (L)(3)(C))**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Michael Megariz III**.

**Michael Megariz III**, the **trainer** of record for horse "**Kick Some Dash**", was duly notified and appeared for this hearing. This is **Michael Megariz III's SECOND** Penalty B medication violation in a lifetime.

For **Jorge Carrillo's FOURTH Penalty B medication violation**, issued in accordance with **15.2.6.9 (B)(2) Penalty Recommendations**, the Board of Stewards hereby assess a penalty as follows.

1. The horse "**Kick Some Dash**", is hereby disqualified from **FIRST PLACE** and ordered unplaced from the **7th race on February November 25, 2017, at Zia Park Racetrack**, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Pernambuco
2. June Bug Junior
3. Wood Be a Bullet
4. If Ur Cute Im Quick
5. Penny Snipin
6. Passtheflower
7. Crème Dela Cartel
8. Eunaway Siesta
9. Magic Lil Jesse

Unplaced "**Kick Some Dash**"

**Licensee is found in violation of and this ruling is written in accordance with:**

15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.9(B)(2) Penalty Recommendations **15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-51  
Track Sunland Park  
Ruling Date: 1/23/2018

Licensee: AMESTOY, ROSS A.

License Type: 2016 3 Year Trainer      Applicant Id: 16643  
License Number: 280897

Ruling # 2018-SUN-51

Action Type: Initial Ruling

Ruling:

Trainer Ross Amestoy, having waived his right to a 10 day notice and formal hearing before the Board Of Stewards on January 20, 2018, regarding an affidavit from UC/Davis (official testing laboratory for the NMSRC). The affidavit was for a confirmed positive for the therapeutic drug, Phenylbutazone (class 4 penalty category C drug) found in test sample NM 29566 taken from the winner "Tiz Valiant" following the 5th race, December 04, 2017, at Sunland Park Racetrack, in Sunland Park, Nm.

The affidavit indicated a finding of Phenylbutazone at 17.76 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 Ross Amestoy.

Mike Abraham, Leslie Amestoy, and Pierre J. Amestoy Jr., the owners of record for horse "Tiz Valiant", were duly notified and failed to appear for this hearing. This is their FIRST Class 4C medication violation in a 365-day period, in accordance with **15.2.6.9(B)(4) PENALTY RECOMMENDATIONS.**

For Ross Amestoy's FIRST Class 4C medication violation in a 365-day period, the Board of Stewards hereby assess a **(\$1,000) one thousand dollar fine** to be paid on or before January 23, 2018, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay fine in prescribed time may result in an immediate suspension

Licensee is found in violation of and this ruling is written in accordance with:

*15.2.3.8(B)(1)(3)(f) Stewards/ 15.2.6.9(C)(1) Medication Restrictions/ 15.2.6.11 (A) Trainer Responsibility/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B) Penalty Recommendations.*

By Order of The Sunland Park Stewards

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



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-52  
Track Sunland Park  
Ruling Date: 1/23/2018

Licensee: ABRAHAM, MIKE C

License Type: 2016 3 Year Owner      Applicant Id: 26259  
License Number: 280688

Ruling # 2018-SUN-52

Action Type: Initial Ruling

Ruling:

Owners Mike Abraham, Leslie Amestoy, and Pierre J. Amestoy Jr. were duly notified, failed to appear, and had their hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board Of Stewards on January 20, 2018. The hearing was in regard to an affidavit 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 NM 29566. The test sample was taken from the winner "Tiz Valiant" following the 5th race, December 04, 2017, at Sunland Park Racetrack, in Sunland Park, Nm.

The affidavit indicated a finding of Phenylbutazone at 17.76 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 Ross Amestoy.

Ross Amestoy, the trainer of record for horse "Tiz Valiant", waived his right to a 10 day notice and formal hearing before the Board Of Stewards. This is Ross Amestoy's FIRST Class 4C medication violation in a 365-day period, in accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS.

For Owners Mike Abraham, Leslie Amestoy, and Pierre J. Amestoy Jr.'s FIRST Class 4C medication violation in a 365-day period, the Board of Stewards hereby issues a penalty as follows, in accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS.

1. The horse "Tiz Valiant", must pass a commission-approved examination before being eligible to enter.

Licensee is found in violation of and this ruling is written in accordance with:

15.2.3.8(B)(1)(3)(f) Stewards/ 15.2.6.9(C)(1) Medication Restrictions/ 15.2.6.9(B) Penalty Recommendations.

By Order of The Sunland Park Stewards

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



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-53  
Track Sunland Park  
Ruling Date: 1/23/2018

Licensee: AMESTOY, LESLIE ANN

License Type: 2017 3 Year Owner      Applicant Id: 25800  
License Number: 284886

Ruling # 2018-SUN-53

Action Type: Initial Ruling

Ruling:

Owners Mike Abraham, Leslie Amestoy, and Pierre J. Amestoy Jr. were duly notified, failed to appear, and had their hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board Of Stewards on January 20, 2018. The hearing was in regard to an affidavit 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 NM 29566. The test sample was taken from the winner "Tiz Valiant" following the 5th race, December 04, 2017, at Sunland Park Racetrack, in Sunland Park, Nm.

The affidavit indicated a finding of Phenylbutazone at 17.76 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 Ross Amestoy.

Ross Amestoy, the trainer of record for horse "Tiz Valiant", waived his right to a 10 day notice and formal hearing before the Board Of Stewards. This is Ross Amestoy's FIRST Class 4C medication violation in a 365-day period, in accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS.

For Owners Mike Abraham, Leslie Amestoy, and Pierre J. Amestoy Jr.'s FIRST Class 4C medication violation in a 365-day period, the Board of Stewards hereby issues a penalty as follows, in accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS.

1. The horse "Tiz Valiant", must pass a commission-approved examination before being eligible to enter.

Licensee is found in violation of and this ruling is written in accordance with:

15.2.3.8(B)(1)(3)(f) Stewards/ 15.2.6.9(C)(1) Medication Restrictions/ 15.2.6.9(B) Penalty Recommendations.

By Order of The Sunland Park Stewards

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



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-54  
Track Sunland Park  
Ruling Date: 1/23/2018

Licensee: AMESTOY, PIERRE JEAN

License Type: 2017 3 Year Owner      Applicant Id: 29594  
License Number: 284885

Ruling # 2018-SUN-54

Action Type: Initial Ruling

Ruling:

Owners Mike Abraham, Leslie Amestoy, and Pierre J. Amestoy Jr. were duly notified, failed to appear, and had their hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board Of Stewards on January 20, 2018. The hearing was in regard to an affidavit 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 NM 29566. The test sample was taken from the winner "Tiz Valiant" following the 5th race, December 04, 2017, at Sunland Park Racetrack, in Sunland Park, Nm.

The affidavit indicated a finding of Phenylbutazone at 17.76 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 Ross Amestoy.

Ross Amestoy, the trainer of record for horse "Tiz Valiant", waived his right to a 10 day notice and formal hearing before the Board Of Stewards. This is Ross Amestoy's FIRST Class 4C medication violation in a 365-day period, in accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS.

For Owners Mike Abraham, Leslie Amestoy, and Pierre J. Amestoy Jr.'s FIRST Class 4C medication violation in a 365-day period, the Board of Stewards hereby issues a penalty as follows, in accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS.

1. The horse "Tiz Valiant", must pass a commission-approved examination before being eligible to enter.

Licensee is found in violation of and this ruling is written in accordance with:

15.2.3.8(B)(1)(3)(f) Stewards/ 15.2.6.9(C)(1) Medication Restrictions/ 15.2.6.9(B) Penalty Recommendations.

By Order of The Sunland Park Stewards

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



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-55  
Track Sunland Park  
Ruling Date: 1/23/2018

Licensee: LOZANO, FLAVIO

License Type: 2017 3 Year Jockey      Applicant Id: 33238  
License Number: 286319

Ruling # 2018-SUN-55

Action Type: Initial Ruling

Ruling:

Jockey Flavio Lozano was duly notified and appeared before the Board of Stewards on January 23, 2018. Flavio Lozano failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagements (entry "GENERALZ ROSE" in the 5th race and entry "ALL FORGIVEN" in the 9th race) on December 22, 2017, at Sunland Park Racetrack.

The Board of Stewards hereby fine Flavio Lozano in the amount of four hundred dollars (\$400.00). The fine is to be paid on or before February 23, 2018, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

**Licensee is found to be in violation of and this ruling written in accordance with:**

15.2.5.13(C)(1) Which states in pertinent part that "Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards."

5.2.5.13(C)(3) Which states in pertinent part that "Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards."

15.2.1.9(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 Sunland Park Stewards

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





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-56  
Track Sunland Park  
Ruling Date: 1/26/2018

Licensee: SEDILLO, TONY E

License Type: 2015 3 Year Trainer      Applicant Id: 16607  
License Number: 280236

Ruling # 2018-SUN-56

Action Type: Initial Ruling

Ruling:

Trainer **Tony Sedillo** was duly notified, failed 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 **January 26, 2018**. The hearing was in regard to **Tony Sedillo** failing to appear in paddock with entry, **"TEVES"**, which resulted in a late scratch and mutuel refund in the **6th race on December 29, 2017, at Sunland Park Racetrack**.

The Board of Stewards hereby fine **Tony Sedillo** in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **February 26, 2018**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

**Licensee is found in violation of and ruling in written in accordance with .**

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

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 Sunland Park Stewards

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



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-57  
Track Sunland Park  
Ruling Date: 1/26/2018

Licensee: RUIZ, JOSE DANIEL

License Type: 2015 3 Year Jockey      Applicant Id: 32886  
License Number: 279612

Ruling # 2018-SUN-57

Action Type: Initial Ruling

Ruling:

Jockey **Jose Daniel Ruiz** was duly notified, failed 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 **January 26, 2018**. **Jose Daniel Ruiz** failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagement, entry "**PASSEMUPJESSE**" in the **7th race on December 29, 2017, at Sunland Park Racetrack**.

The Board of Stewards hereby fine **Jose Daniel Ruiz** in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **February 26, 2018**, in accordance with 15.2.3.8(B)(3) (l) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

**Licensee is found to be in violation of and this ruling written in accordance with:**

15.2.5.13(C)(1) Which states in pertinent part that "Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards."

5.2.5.13(C)(3) Which states in pertinent part that "Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards."

15.2.1.9(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 Sunland Park Stewards

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



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-SUN-58  
Track Sunland Park  
Ruling Date: 1/26/2018

Licensee: HUDSON, KALIE SUSAN

License Type: 2017 1 Year Exercise P Applicant Id: 30548  
License Number: 286266

Ruling # 2018-SUN-58

Action Type: Initial Ruling

Ruling:

**Exercise Person, KALIE SUSAN HUDSON, is hereby summarily suspended, effective immediately, January 26, 2018, pending the outcome of her hearing on February 3, 2018, @ 9:30a.m in the offices of the Board of Stewards at Sunland Park Racetrack (1200 Futurity Drive Sunland Park, New Mexico 88063) per 15.2.1.9 (B)(3)(b) Summary Suspension. KALIE SUSAN HUDSON tested positive for amphetamine and methamphetamine during a drug screening on January 26, 2018.**

**Per 15.2.1.9 (C)(21)(a-b) NMAC, KALIE SUSAN HUDSON is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC.**

**Licensee is found to be in violation of and this ruling is written in accordance with:**

15.2.1.9(B)(3)(a): Which states in pertinent part "If the Stewards determine that a licensee's action constitute an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing".

16.47.1.16 (C)(7) Restricted Activities: It shall be an offense to exercise the privileges granted by a license from this commission if the licensee presently has drugs (controlled substances) or alcohol in his/her body. With regard to alcohol, the results of a test showing a reading of more than .05 percent of alcohol in the blood, urine, saliva or other bodily fluids of licensees in non-safety sensitive positions shall be the criterion for a finding of alcohol present in the body. With regard to other controlled substances, presence of the drug in any quantity measured by the testing instrument establishes the presence of the drug for purposes of this paragraph. Licensees in safety sensitive positions, jockeys, starters, assistant starters, exercise riders, pony persons, ambulance personnel, and outriders are in violation of this rule if they have any measurable level of alcohol.

16.47.1.8 (L)(1)(i) - 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"

16.47.1.17 (A)(1) TESTING PROCEDURES At its discretion, the commission may conduct random or episodic random drug testing, as well as testing based on reasonable suspicion, in order to ensure safety on the racetrack.

16.47.1.17 (A)(2) TESTING PROCEDURES When conducted, random drug testing shall apply, equally, to all licensees who are, at the time of the random testing, exercising the privileges of their license in such ways as may affect the outcome of a race or diminish the conditions of safety or decorum required in restricted areas.

16.47.1.17 (A)(3) TESTING PROCEDURES No notice need be given as to onset or cessation of random testing.

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 Sunland Park Stewards