



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-48
Track Sunland Park
Ruling Date: 1/10/2016

Licensee: GARCIA, JR TEOFILO

License Type: Applicant Id: 8192
Date of Birth: 05/24/1962 License Number:

Ruling # 2016-SUN-48

Action Type: Initial Ruling

Ruling:

Licensee Trainer, Teofilo Garcia Jr. having appeared telephonically before the Board of Stewards on this date January 10, 2016, for failure to declare equipment Blinkers On at time of entry on the horse Bewitching Betsy entered in the sixth (6th) race, on January 8, 2016, at Sunland Park. Licensee is found to be in violation of Commission rules.

For this rule violation, the Board of Stewards assessed a penalty of a warning since it is your first offense, but your next violation will be a fine in the amount of fifty dollars (\$ 50.00).

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.

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

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

15.2.1.9(b):

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

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-49
Track Sunland Park
Ruling Date: 1/10/2016

Licensee: DOMINGUEZ, SERGIO G

License Type: 2015 3 Year Jockey Applicant Id: 86326
Date of Birth: 04/30/1996 License Number: 246771

Ruling # 2016-SUN-49

Action Type: Initial Ruling

Ruling:

Jockey Sergio Dominguez having failed to appear or send a jockey guild's representative when summoned by the Board of Stewards for race/film review regarding the first race on January 9, 2016 at Sunland Park is found in violation of Commission rules.

For this rule violation, the Board of Stewards assessed Sergio Dominguez a penalty of fifty dollars (\$50.00). The fine is to be paid on or before February 18, 2016 in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

Licensee is found to be in violation of:

15.2.1.9(B)(4)(d)NMAC: Which states in pertinent part that "Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the board of 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-50
Track Sunland Park
Ruling Date: 1/10/2016

Licensee: DOMINGUEZ, SERGIO G

License Type: 2015 3 Year Jockey Applicant Id: 86326
Date of Birth: 04/30/1996 License Number: 246771

Ruling # 2016-SUN-50

Action Type: Initial Ruling

Ruling:

Jockey Sergio Dominguez, having been summoned, failed to appear, and having his hearing held in absentia before the Board of Stewards on January 10, 2016, for careless riding and failure to maintain a straight course, while aboard "Executive Love" in the first race, January 9, 2016, at Sunland Park, is found to be in violation of Commission rules.

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

The fine is to be paid on or before February 19, 2016 in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is in accordance with:

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

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

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

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

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

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

15.2.1.9(b):

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

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-51
Track Sunland Park
Ruling Date: 1/10/2016

Licensee: ORONA, JR MARTIN M.

License Type: 2015 1 Year Owner Applicant Id: 32292
Date of Birth: 06/18/1987 License Number: 277146

Ruling # 2016-SUN-51

Action Type: Initial Ruling

Ruling:

Trainer Martin Orona Jr. having appeared telephonically before the Board of Stewards on January 8, 2016, regarding an entry of an ineligible horse "One Classy Eagle" which resulted in a scratch of said horse in the fourth race, January 10, 2016, at Sunland Park;

(Martin Orona Jr's Trainer license had expired, and had not completed the licensing process for a Trainer license, which resulted in the scratch).

Martin Orona Jr is found to be in violation of:

15.2.5.8(B)(2) NMAC: Which states in pertinent part "An entry shall be in the name of the horse's licensed Owner, and shall be made by the Owner, Trainer, or the licensed designee of the Owner or Trainer.

15.2.5.12(X) NMAC: Which states in pertinent part "A horse shall be ineligible to start in a race when its Owner, Lessor, and/or Trainer have not completed the licensing procedures required by the Commission".

16.47.1.10(C)(17) NMAC: Which states in pertinent part that "A Trainer is responsible for representing an Owner in making entries and scratches, and in all other matters pertaining to racing, horses entered as to eligibility and weight or other allowances claimed".

For this rule violation, the Board of Stewards assessed Martin Orona Jr. a penalty in the amount of one-hundred dollars (\$ 100.00). The fine is to be paid on or before February 19, 2016, in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

15.2.1.9(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-52
Track Sunland Park
Ruling Date: 1/12/2016

Licensee: LEMONS, JOHNATHAN ALLEN

License Type: 2014 3 Year Trainer Applicant Id: 8852
Date of Birth: 11/16/1973 License Number: 216332

Ruling # 2016-SUN-52

Action Type: Initial Ruling

Ruling:

Trainer Johnathan Lemons., having appeared by phone, before the Board of Stewards on January 12, 2016, for failure to declare equipment BLINKERS ON at time of entry on the horse Bogie She'saplayer entered in the eighth race, on Sunday, January 10, 2016, at Sunland Park.

Licensee is found to be in violation of Commission rules.

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.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-53
Track Sunland Park
Ruling Date: 1/12/2016

Licensee: GARCIA, JESUS J.

License Type: Applicant Id: 8914
Date of Birth: 05/13/1966 License Number:

Ruling # 2016-SUN-53

Action Type: Initial Ruling

Ruling:

Owner Jesus Garcia, having been duly notified and having been represented by his trainer, Jose Ramos who appeared for this hearing before the Board of Stewards on January 10, 2016, regarding a confirmed overage of allowable limits for the Class IV drug "Dexamethasone" which was found in sample NM11446, after it was collected from the horse, "Volten" which finished first in the 2nd race, Saturday, February 7, 2015, at Sunland Park;

Jesus Garcia is the recorded Owners of the horse "Volten", which was the subject of related rulings, issued this date, at Sunland Park, in which sanction was made against the Trainer of record.

As such, the following applies:

15.2.6.9 (C) NMAC: First offense in a 365-day period in any jurisdiction in the following levels, the penalty is the horse may be required to pass a commission-approved examination before being eligible to run:

(Per the terms of a signed Stipulated Settlement Agreement, Trainer Jose Ramos 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-54
Track Sunland Park
Ruling Date: 1/12/2016

Licensee: VALENZUELA, JOHN RAUL
License Type: 2015 1 Year Jockey Applicant Id: 158391
Date of Birth: 10/01/1986 License Number: 280402

Ruling # 2016-SUN-54

Action Type: Initial Ruling

Ruling:

Jockey John Raul Valenzuela, Jr., having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagements, which resulted in late rider change for the horse Blue Cres in the second race Sunday, January 10, 2016, at Sunland Park.

John Raul Valenzuela, Jr., is found to be in violation of:

For this rule violation, the Board of Stewards assessed John Raul Valenzuela, Jr., a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before February 21, 2016, in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main Commission offices or with the Stewards who issued the ruling.

15.2.5.13(C)(3) NMAC:

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

15.2.5.13(C)(1) NMAC:

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

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-55
Track Sunland Park
Ruling Date: 1/12/2016

Licensee: LEVARIO, JESSE LEE

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

Ruling # 2016-SUN-55

Action Type: Initial Ruling

Ruling:

Jockey Jesse Lee Levario, having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagements, which resulted in late rider change for the horse Future Jabonero in the fourth race Sunday, January 10, 2016, at Sunland Park.

Jesse Lee Levario, is found to be in violation of:

For this rule violation, the Board of Stewards assessed Jesse Lee Levario a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before February 21, 2016, in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main Commission offices or with the Stewards who issued the ruling.

15.2.5.13(C)(3) NMAC:

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

15.2.5.13(C)(1) NMAC:

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

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-56
Track Sunland Park
Ruling Date: 1/12/2016

Licensee: RAMOS, JOSE R

License Type: Applicant Id: 31929
Date of Birth: 03/19/1967 License Number:

Ruling # 2016-SUN-56

Action Type: Initial Ruling

Ruling:

Trainer Jose Ramos, having been duly notified, and appeared before the Board of Stewards on January 10, 2016, regarding a confirmed positive test for Class IV drug "Dexamethasone", which was found in sample NM 11446, after it was collected from the horse "Volten" which finished first in the 2nd race, Saturday, February 7, 2015, at Sunland Park.

(The original lab report indicated a finding of Dexamethasone at (140 pg/ml.) Split sample rights, as provided in 15.2.6.10(D) NMAC were offered and waived).

Mr. Jesus Garcia is the recorded Owner of the horse "Volten", which was the subject of related rulings issued this date, at Sunland Park, in which sanction was made against the Trainer of record.

As such, the following applies:

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 (E)(1) NMAC: Which states "The permitted quantitative test level of Dexamethasone shall be administered in such dosage amount that the official test sample shall not exceed 5.0 picograms per milliliter of plasma".

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 Juan Meraz a penalty of:

1. Five hundred dollar (\$500) fine to be paid on or before February 10, 2016.

(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. Jose Ramos furthermore knowingly, intentionally, and voluntarily waives any/all appeal rights, including any judicial appeal regarding this matter).



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-57
Track Sunland Park
Ruling Date: 1/15/2016

Licensee: MARTIN, WESTON LEE

License Type: 2015 3 Year Trainer Applicant Id: 20987
Date of Birth: 12/17/1960 License Number: 246700

Ruling # 2016-SUN-57

Action Type: Initial Ruling

Ruling:

Licensee having appeared by phone before the Board of Stewards on this date January 15, 2016, for failure to declare equipment BLINKERS ON at time of entry on the horse Whitlick entered in the third race, on January 12, 2016, at Sunland Park. Licensee is found to be in violation of Commission rules.

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-58
Track Sunland Park
Ruling Date: 1/15/2016

Licensee: HINOJOS, ALVARO

License Type: 2013 3 year Trainer Applicant Id: 27309
Date of Birth: 09/18/1957 License Number: 65104

Ruling # 2016-SUN-58

Action Type: Initial Ruling

Ruling:

Licensee having appeared by telephone before the Board of Stewards on January 15, 2016 for failure to enter the horse Storm of Roses to correct Salix/Lasix status in the third race on January 12, 2016 at Sunland Park. Licensee is found to be in violation of Commission rules.

For this rule violation, the Board of Stewards assessed Alvaro Hinojos a penalty in the amount of fifty dollars (\$50.00). The fine is to paid on or before February 24, 2016 in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

Licensee is found to be in violation of the following rule (s):

16.47.1.10 (C) (8) Trainers responsibility to immediately notify the stewards and commission veterinarian of all out-of-state certified horses on **Salix®**;

15.2.5.8 (B) (9) Any permitted medication must be declared on the original entry at each race meet. No further declaration will be required at that meet unless there is a change.

15.2.6.8 (E) (3) The use of furosemide (**Salix**) shall be permitted under the following circumstances on association grounds where a detention barn is not utilized: furosemide (**Salix**) shall be administered no less than three hours prior to post time for a quarter horse race for which the horse is entered and no less than four hours prior to post time for a thoroughbred race for which a horse is entered; the horse must be logged in at the stable gate with time and location no less than one hour prior to administration; the furosemide (**Salix**) dosage administered shall not exceed 250 milligrams nor be less than 100 milligrams for horses entered in a quarter horse race and the furosemide (**Salix**) dosage administered shall not exceed 500 milligrams nor be less than 150 milligrams for horses entered in a thoroughbred race; the trainer of the treated horse shall cause to be delivered to the official veterinarian or his/her designee no later than one hour prior to post time for the race for which the horse is entered the following information under oath on a form provided by the commission: the racetrack name, the date and time the furosemide (**Salix**) was administered to the entered horse; the dosage amount of furosemide (**Salix**) administered to the entered horse; the printed name and signature of the attending licensed veterinarian who administered the furosemide (**Salix**).

15.2.1.9(b):

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-59
Track Sunland Park
Ruling Date: 1/15/2016

Licensee: DE HERRERA, JOSE IGNACIO
License Type: Trainer Applicant Id: 16885
Date of Birth: 01/13/1962 License Number: 81810

Ruling # 2016-SUN-59

Action Type: Initial Ruling

Ruling:

Trainer JOSE IGNACIO DE HERRERA, having appeared by telephone before the Board of Stewards on January 12, 2016 regarding an entry of an ineligible horse "Untangled Vines" which resulted in a late scratch of said horse in the third race, January 10, 2016, at Sunland Park;

The transfer of trainers from Paul Sedillo to **JOSE IGNACIO DE HERRERA** was not made in a timely manner, was made after entry, and was not approved by the Stewards, which then resulted in the late scratch.

Michael Barber is found to be in violation of:

15.2.5.8(B)(2) NMAC: Which states in pertinent part "An entry shall be in the name of the horse's licensed Owner, and shall be made by the Owner, Trainer, or the licensed designee of the Owner or Trainer.

16.47.1.9 (A)(5) NMAC: Which states in pertinent part "Licensed Owners are responsible for disclosure of the true and entire Ownership of each of their horses registered with the Racing Secretary. Any change in Ownership or Trainer of a horse registered with the Racing Secretary must be approved by the Stewards".

15.2.5.12(X) NMAC: Which states in pertinent part "A horse shall be ineligible to start in a race when its Owner, Lessor, and/or Trainer have not completed the licensing procedures required by the Commission".

16.47.1.10(C)(17) NMAC: Which states in pertinent part that "A Trainer is responsible for representing an Owner in making entries and scratches, and in all other matters pertaining to racing, horses entered as to eligibility and weight or other allowances claimed".

For this rule violation, the Board of Stewards assessed **JOSE IGNACIO DE HERRERA** a penalty in the amount of one-hundred dollars (\$ 100.00). The fine is to be paid on or before February 24, 2016, in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

15.2.1.9(b):

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-60
Track Sunland Park
Ruling Date: 1/15/2016

Licensee: CHAVEZ, ARTURO

License Type: 2015 3 Year Trainer Applicant Id: 23940
Date of Birth: 10/09/1957 License Number: 279870

Ruling # 2016-SUN-60

Action Type: Initial Ruling

Ruling:

Trainer Arturo Chavez, having appeared for a scheduled hearing before the Board of Stewards on January 12, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed overage of allowable limits for the Class IV drug "Flunixin" which was found in sample NM10308, after it was collected from the horse, "IVE BEEN AMPLIFIED" which finished first in the First race, February 13, 2015, at The Sunland Park Race Track.

(The original lab report indicated a finding of Flunixin at 38.0 ug/ml., which exceeds the authorized limit of 20.0 nanograms per milliliter. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were availed but waived by Arturo Chavez).

Arturo Chavez is found to be in violation of:

15.2.6.9(D) (1-2-3) NMAC: Which states that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race (b) therapeutic medications in excess of established acceptable levels".

15.2.6.9 (E) (1) NMAC: Which states "The permitted quantitative test level of Flunixin shall be administered in such dosage amount that the official test sample shall not exceed 20.0 micrograms per milliliter".

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 Arturo Chavez a penalty as follows;

(1) A fine in the amount of Five Hundred Dollars (\$500.00);

(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)(3) NMAC. Per the written terms of the signed Stipulated Settlement Agreement as specified in section 2, Arturo Chavez, furthermore knowingly, intentionally, and voluntarily waives any/all appeal rights, including any judicial appeal regarding this matter).

This is a first positive test violation in the past 365 day period, and is issued in accordance with 15.2.6.9 (C) (3) NMAC. The fine is to be paid on or before February 15, 2016, in accordance with 15.2.3.8(B) (3) NMAC.

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 must be filed at the main Commission offices, or with the Stewards who issued the ruling.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-61
Track Sunland Park
Ruling Date: 1/15/2016

Licensee: RAMIREZ, ESGAR

License Type: Jockey Applicant Id: 12647
Date of Birth: 06/07/1983 License Number: 80743

Ruling # 2016-SUN-61

Action Type: Initial Ruling

Ruling:

Jockey Esgar Ramirez, having appeared before the Board of Stewards January 15, 2016 regarding his conduct towards a Steward after the ninth race January 3, 2016, at Sunland Park;

For this rule violation the Board of Stewards assessed Esgar Ramirez a penalty of two hundred and fifty dollars (\$250.00). The fine is to be paid on or before Date: February 24, 2016 in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

Esgar Ramirez is found to be in violation of:

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

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

15.2.1.9(b):

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

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-62
Track Sunland Park
Ruling Date: 1/15/2016

Licensee: ACOSTA, JR CARLOS H.

License Type: Owner Applicant Id: 19413

Date of Birth: 06/19/1987 License Number: 81004

Ruling # 2016-SUN-62

Action Type: Initial Ruling

Ruling:

Trainer Carlos H. Acosta Jr., having failed to pay the fines assessed in Ruling 2015-SUN-181 and 2015-Ssun-139

Carlos H. Acosta Jr., is found to be in violation of:

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

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

During said time of applicable suspension, Carlos H. Acosta JR., 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.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SUN-63
Track Sunland Park
Ruling Date: 1/15/2016

Licensee: RODRIGUEZ, RUBEN CHAVEZ

License Type: Applicant Id: 2128

Date of Birth: 04/15/1969 License Number:

Ruling # 2016-SUN-63

Action Type: Initial Ruling

Ruling:

Owner, Ruben C. Rodriguez, having been duly notified, having been represented by his trainer of record, Arturo Chavez appeared before the Board of Stewards on January 12, 2016, regarding a confirmed positive test for the Class IV drug "Flunixin", which was found in sample NM10308, after it was collected from the horse "Ive Been Amplified" which finished first in the first race, Friday, February 13, 2015, at Sunland Park;

Ruben C. Rodriguez is the recorded Owner of the horse "Ive Been Amplified", which was the subject of related rulings issued this date, at Sunland Park, in which sanction was made against the Trainer of record.

As such, the following applies:

15.2.6.9 (C) NMAC: Which states "Category B penalties will be assessed a licensed Owner for violations due to the presence of a drug carrying a Category B penalty: First offense within a 365 day period in any jurisdiction shall have the horse must pass a Commission-approved examination before becoming eligible to be entered".

For this violation, the Board of Stewards assessed a penalty of the horse must pass a Commission approved examination before becoming eligible to be entered.

(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. Any subsequent Class B violation within a 180 day period following this date will result in further penalty, as specified in Section 6. Per the written terms of the signed Stipulated Settlement Agreement as specified in section 2, Ruben C. Rodriguez furthermore knowingly, intentionally, and voluntarily waives any/all appeal rights, including any judicial appeal regarding this matter).

(Refer to related rulings, #2016-SUN-60 issued this date, at Sunland Park).