



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-16
Track SunRay Park
Ruling Date: 4/30/2018

Licensee: RAMIREZ, ESTEBAN

License Type: 2017 3 Year Trainer Applicant Id: 19424
License Number: 287884

Ruling # 2018-SRP-16

Action Type: Initial Ruling

Ruling:

T Trainer Estaban Ramirez having been duly notified telephonically and waived his rights to a formal hearing before the Board of Stewards on April 30, 2018, for failing to have a current Coggins for entry "Charlies Soldier" which resulted in a scratch and mutuel refund in the 9Th race on April 29, 2018 at Sunray Park.

Licensee is found to be in violation of.

15.2.5.12(Z) Horse ineligible A horse shall be ineligible to start when "there is no current negative test certificate for equine infectious anemia on file with the racing office, as required by the commission".

16.47.1.10(C)(5)Trainer Responsibility The trainer is responsible for the proper identity, custody, care, health, condition, and safety of horses in their charge.

16.47.1.10(C)(15) Trainer Responsibility The trainer is responsible for maintaining a knowledge of the medication record and status of all horses in their care.

For this violation, the Board of Stewards assessed Estaban Ramirez a fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before May 30, 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

This ruling is written in accordance with

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

Victor Escher

Ron With

Linda Solinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-17
Track SunRay Park
Ruling Date: 4/30/2018

Licensee: CARRETE, FERNANDO

License Type: 2015 3 Year Trainer Applicant Id: 28930
License Number: 279958

Ruling # 2018-SRP-17

Action Type: Initial Ruling

Ruling:

Trainer: **Fernando Carrete, is hereby suspended effective immediately, April 28, 2018 after**
having been notified by the Oklahoma Horse Racing Commission, that **Fernando Carrete** is
Summarily Suspended as of April 28, 2018 for a horse medication violation.

During said time of applicable suspension **Fernando Carrete** is hereby excluded from all areas of the
grounds under the jurisdiction of the NMSRC, **per 15.2.1.9 (C)(21)**, pending the outcome of **his**
hearing by the Oklahoma Horse Racing Commission **in accordance with 15.2.1.9 (C)(22)**.

This Ruling is written in accordance with: 15.2.1.9(C)(22): Rulings in other jurisdictions.
Reciprocity. The stewards shall honor rulings from other pari-mutuel
.jurisdictions regarding license suspensions, revocation or eligibility of horses
Appeals of reciprocal rulings. Persons subject to rulings in other jurisdictions
shall have the right to request a hearing before the commission to show cause
why such ruling should not be enforced in this jurisdiction. Any request for
.such hearing must clearly set forth in writing the reasons for the appeal

This Ruling is also written in accordance with:

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”
15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(a) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required

By Order of The SunRay 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.

Victor Escobar

Ron Walker

Aracida Salinas

IN AND BEFORE THE BOARD OF STEWARDS
REMINGTON PARK
OKLAHOMA HORSE RACING COMMISSION
STATE OF OKLAHOMA

DATE: April 28, 2018
ORDER: 18-RP-027

IN THE MATTER OF:

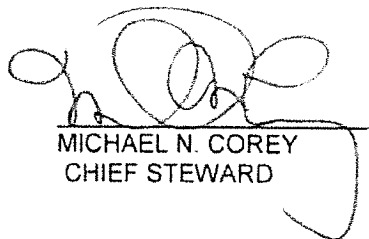
Name: CARRETE, FERNANDO
Address: 6631 ISLATA BLVD SW
ALBUQUERQUE, NM 87105
DOB: 06/03/1988

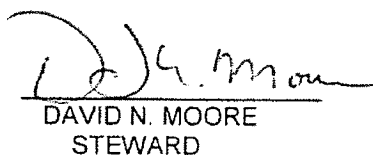
A report has been received from the Industrial Laboratories Company, Wheat Ridge, Colorado, stating that blood sample 0002404 collected from "SPIT PRIZE CORONA" that Placed 1st in the 8th Race, on Sunday, April 15, 2018, did test positive for the drug Albuterol as reported in an affidavit from Industrial Laboratories signed by Timothy Krueger, Supervisor DTS.

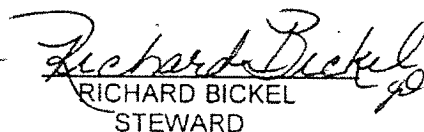
On Saturday, April 28, 2018, the Board of Stewards at Remington Park determined that the public health, safety, and welfare is at risk because Albuterol is a prohibited substance with no acceptable threshold level for Quarter Horses and which can affect the performance of a horse and potentially affect the welfare of the betting public, other licensees and horses in his care..

Pursuant to OAC 325:70-1-20. Summary Suspension of Occupation Licensee, the Board of Stewards finds that the public health, safety, and welfare is at risk and requires emergency action. Therefore, Fernando Carrete, DOB: 06/03/1988, is hereby summarily suspended effective Saturday, April 28, 2018, and continuing pending a hearing and final determination.

During the term of his suspension, Mr. Carrete is denied access to the enclosures of all racetracks, including the public areas coming under the jurisdiction of the Oklahoma Horse Racing Commission.


MICHAEL N. COREY
CHIEF STEWARD


DAVID N. MOORE
STEWARD


RICHARD BICKEL
STEWARD

jld

CC: OHRC, BOARDS OF STEWARDS (RP/WRD), AGENT, SECURITY, LICENSE OFFICE, CARRETE, RUCKER - ASSISTANT
GENERAL COUNCIL

4-28-18



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-18
Track SunRay Park
Ruling Date: 4/30/2018

Licensee: JAY-KIZZIA, DEBBIE A

License Type: 2018 1 Year Office Per Applicant Id: 160709
License Number: 288897

Ruling # 2018-SRP-18

Action Type: Initial Ruling

Ruling:

Office Personnel: Debbie A. Jay-Kizzia having appeared before the Board of Stewards April 30, 2018, and waived her right to a 10 day notice of hearing regarding her failure to disclose her arrest history on her license application dated Feb. 12, 2018.

After hearing the testimony and evidence presented the Board of Stewards hereby issue a warning to Debbie A. Jay-Kizzia and was advised to disclose her full arrest record on any future licensing applications.

Licensee is found to be in violation of:

16.47.1.8 (L)(1) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE.

16.47.1.8(L)(1)(F) CONDUCT The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant has been found to have made false or misleading statements to the commission, stewards, or any racing official

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-19
Track SunRay Park
Ruling Date: 5/2/2018

Licensee: WOOD, STERLEN TREY

License Type: 2015 3 Year Owner Applicant Id: 32499
License Number: 278130

Ruling # 2018-SRP-19

Action Type: Initial Ruling

Ruling:

Trainer: Sterlen Trey Wood, is hereby suspended effective immediately, April 28, 2018 after having been notified by the Oklahoma Horse Racing Commission, (18-RP-028) that Sterlen Trey Wood is Summarily Suspended as of April 28, 2018 for a horse medication violation.

During said time of applicable suspension **Sterlen Trey Wood** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, **per 15.2.1.9 (C)(21)**, pending the outcome of his hearing by the Oklahoma Horse Racing Commission **in accordance with 15.2.1.9 (C)(22)**.

This Ruling is written in accordance with: 15.2.1.9(C)(22): Rulings in other jurisdictions.

Reciprocity. The stewards shall honor rulings from other pari-mutuel jurisdictions regarding license suspensions, revocation or eligibility of horses Appeals of reciprocal rulings. Persons subject to rulings in other jurisdictions shall have the right to request a hearing before the commission to show cause why such ruling should not be enforced in this jurisdiction. Any request for such hearing must clearly set forth in writing the reasons for the appeal

This Ruling is also written in accordance with:

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”
15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(a) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required

By Order of The SunRay 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-SRP-20
Track SunRay Park
Ruling Date: 5/4/2018

Licensee: ROMAN, JR JAVIER

License Type: 2016 3 Year Trainer Applicant Id: 17950
License Number: 284154

Ruling # 2018-SRP-20

Action Type: Initial Ruling

Ruling:

Trainer: Javier Roman Jr. having been duly notified, and appeared telephonically before the Board of Stewards on **April 30, 2018**, for failure to declare equipment (**Flipping Halter ON**) at time of entry for **"The Little Bit"** entered in **the 3rd race on April, 29, 2018 at SunRay Park Racetrack.**

Licensee is found to be in violation of:

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

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

For this rule violation, the Board of Stewards assessed **Javier Roman Jr.** a penalty in the amount of **One Hundred Dollars (\$ 100.00).** The fine is to paid on or before **May 29, 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.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-21
Track SunRay Park
Ruling Date: 5/4/2018

Licensee: MORENO, EDGAR

License Type: 2017 1 Year Trainer Applicant Id: 30696
License Number: 287651

Ruling # 2018-SRP-21

Action Type: Initial Ruling

Ruling:

The **Trainer** license issued to **Edgar Moreno** is hereby rescinded without prejudice having appeared before the Board of Stewards on **May 4, 2018**, and stated that **he** no longer works in this capacity. Edgar Moreno is hereby issued an **Assistant Starter License**.

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-22
Track SunRay Park
Ruling Date: 5/4/2018

Licensee: FINCHER, TODD W.

License Type: 2016 3 Year Trainer Applicant Id: 27974
License Number: 280641

Ruling # 2018-SRP-22

Action Type: Initial Ruling

Ruling:

Trainer: Todd W. Fincher, having been duly notified, and appeared telephonically before the Board of Stewards on **May 4, 2018,** for failure to declare equipment (**Flipping Halter Off**) at time of entry for **"American Hat"** entered in **the 3rd race on April, 30, 2018 at SunRay Park Racetrack.**

Licensee is found to be in violation of:

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

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

For this rule violation, the Board of Stewards assessed **Todd Fincher Jr.** a penalty in the amount of **One Hundred Dollars (\$ 100.00).** The fine is to paid on or before **June 4, 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.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay Park Stewards

Tonda Salinas *Victor Escobar* *Don Walker*

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-SRP-23
Track SunRay Park
Ruling Date: 5/4/2018

Licensee: MCARTHUR, DONNA W

License Type: 2017 3 Year Trainer Applicant Id: 25771
License Number: 288388

Ruling # 2018-SRP-23

Action Type: Initial Ruling

Ruling:

Trainer Donna McArthur having been duly notified telephonically and waived a formal hearing before the Board of Stewards on **May 4, 2018**, for failure to declare equipment (**Blinkers On**) at time of entry for **"Girl Crush Bb"**, entered in **the 1st race on April 30, 2018 at SunRay Park Racetrack.**

Licensee is found to be in violation of:

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

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

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

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

For this rule violation, the Board of Stewards assessed **Donna McArthur** a penalty in the amount of **one hundred dollars (\$ 100.00).** The fine is to paid on or before **June 4, 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.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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.

Linda Salinas *Victor Escobedo*

Pat Wall



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-24
Track SunRay Park
Ruling Date: 5/4/2018

Licensee: CADENA, III EMILIO

License Type: Applicant Id: 18884
License Number:

Ruling # 2018-SRP-24

Action Type: Initial Ruling

Ruling:

Trainer Emilio Cadena III having been duly notified and having a telephonic hearing before the Board of Stewards on **May 4th, 2018, at Sunray Park Racetrack** concerning an **outstanding financial obligation (court judgment) to Janes Gubanski in the amount of \$1,926.30 plus 8.75% interest for services rendered.**

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to **Emilio Cadena III** be immediately suspended starting **March 4th, 2017** and that **he** be deemed ineligible for any future licensing in New Mexico until such time that full payment is made to **Janes Gubanski in the amount of \$1,926.30 plus 8.75% interest for services rendered.**

Licensee is found in Violation of:

16.47.1.8 L (1)(J) NMAC: Grounds For Refusal, Denial, Suspension, or Revocation of License

16.47.1.8 (I): Financial Responsibility

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-25
Track SunRay Park
Ruling Date: 5/4/2018

Licensee: FERGUSON, DEBRA SUE

License Type: 2017 3 Year Owner Applicant Id: 20826
License Number: 285519

Ruling # 2018-SRP-25

Action Type: Initial Ruling

Ruling:

The Owners license issued to Debra Ferguson is hereby rescinded without prejudice as she has appeared before the Board of Stewards on May 4th, 2018, and stated that she no longer works in this capacity. Debra Ferguson is hereby issued a Horseman Bookkeepers license.

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-26
Track SunRay Park
Ruling Date: 5/4/2018

Licensee: SIGALA, ALFREDO S.

License Type: 2015 3 Year Jockey Applicant Id: 158216
License Number: 279889

Ruling # 2018-SRP-26

Action Type: Initial Ruling

Ruling:

Jockey Alfredo Sigala having been duly notified and failing to appear before the Board of Stewards on May 4, 2018, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagement in the 3rd race on March 25, 2018, at Sunland Park Racetrack.

Licensee is found to be in violation of:

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."

The Board of Stewards hereby assesses Alfredo Sigala a penalty in the amount of Two Hundred Dollars (\$200.00). The fine is to be paid on or before June 4, 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.

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-27
Track SunRay Park
Ruling Date: 5/5/2018

Licensee: ROMAN, JR JAVIER

License Type: 2016 3 Year Trainer Applicant Id: 17950
License Number: 284154

Ruling # 2018-SRP-27

Action Type: Initial Ruling

Ruling:

Trainer Javier Roman Jr. having been duly notified telephonically and waived a formal hearing before the Board of Stewards on **May 5, 2018**, for failure to declare equipment (**Blinkers On**) at time of entry for **"La Brianna"**, entered in **the 2nd race on May 4, 2018, at SunRay Park Racetrack.**

Licensee is found to be in violation of:

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

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

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

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

For this rule violation, the Board of Stewards assessed **Javier Roman Jr.** a penalty in the amount of **one hundred and Fifty dollars (\$ 150.00).** The fine is to paid on or before **June 5, 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.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-28
Track SunRay Park
Ruling Date: 5/5/2018

Licensee: BELTRAN, STEPHANIE LYNN
License Type: 2015 3 Year Owner Applicant Id: 157824
License Number: 278720

Ruling # 2018-SRP-28

Action Type: Initial Ruling

Ruling:

Trainer: Stephanie L. Beltran, having been duly notified and appeared before the Board of Stewards, to waive her rights to a formal hearing, on **May 4, 2018**, regarding a lab report from UC/Davis (the official testing laboratory for the NMSRC), for a confirmed positive for the prohibited Class III drug "Clenbuterol", and the Class III drug "16-hydrox-Stanozolol" in horse "**Eyes On Eagle**" (**test sample #NC32839**) **during Out Of Competition Testing on March 10, 2018 at Sunland Park Racetrack in Sunland Park NM.** Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Stephanie L. Beltran.

Licensee is found in violation of

15.2.6.9(C)(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(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

Manuel A. Garibay, the owner of record for horse "**Eyes On Eagle**", was duly notified and appeared telephonically for this hearing.

This is Stephanie L. Beltran's 1st and 2nd Class III-B medication violation in 365 days. The Board of Stewards assess Stephanie L. Beltran a penalty as follows:

- 1. A 90 day suspension** of all NMRC licenses starting May 5, 2018, through August 2, 2018 inclusive.
- 2. (\$2,250.00), two thousand two hundred fifty dollar fine to paid on or before June 5, 2018**, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension
- 3. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(c), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d), the horse "Eyes On Eagle" was placed on the Stewards list for a minimum period of 60 days (beginning March 27, 2018).** During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

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

This ruling is written in accordance with

15.2.6.11(A)(B) NMAC: Trainer Responsibility

16.47.1.10(B)(1) NMAC: Absolute Insurer Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

15.2.1.9(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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-29
Track SunRay Park
Ruling Date: 5/5/2018

Licensee: GARIBAY, MANUEL A

License Type: 2017 3 Year Owner Applicant Id: 15677
License Number: 287335

Ruling # 2018-SRP-29

Action Type: Initial Ruling

Ruling:

Owner: **Manuel A. Garibay**, having been duly notified and appeared telephonically before the Board of Stewards, to waive his rights to a formal hearing, on **May 4, 2018**, regarding a lab report from UC/Davis (the official testing laboratory for the NMSRC), for a confirmed positive for the prohibited Class III drug "Clenbuterol", and the Class III drug "16-hydrox-Stanozolol" in horse "**Eyes On Eagle**" (test sample #NC32839) during **Out Of Competition Testing on March 10, 2018 at Sunland Park Racetrack in Sunland Park NM**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Trainer Stephanie L. Beltran.

Licensee is found in violation of

15.2.6.9(C)(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(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

This is Manuel A. Garibay's 1st and 2nd Class III-B medication violation in 365 days. The Board of Stewards assess Manuel A. Garibay 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 "**Eyes On Eagle**" was placed on the Stewards list for a minimum period of 60 days (beginning **March 27, 2018**). 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.

This ruling is written in accordance with

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

By Order of The SunRay 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-SRP-30
Track SunRay Park
Ruling Date: 5/5/2018

Licensee: BOBROFF, JACQUELYN A
License Type: 2015 3 Year Jockey Applicant Id: 30189
License Number: 277956

Ruling # 2018-SRP-30

Action Type: Initial Ruling

Ruling:

Jockey, **Jacquelyn Bobroff**, having been summoned and having appeared telephonically before the Board of Stewards on May 5, 2018, for careless riding during the running of the 9th race on May 4, 2018, while aboard #3 "Big PaPi Cartel" which resulted in her mount being disqualified from 2nd place to 10th place. (After leaving the gate (allowed her mount to drift out making contact with #4, continuing to lug out forcing a chain reaction into the #4 #5 #6 interfering with their forward progress and placing.)

Licensee is found in violation of:

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

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

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

6.47.1.8. T. KNOWLEDGE OF RULES:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

For this rule violation, the Board of Stewards assessed **Jacquelyn Bobroff** a suspension of 7 calendar days (May 5, 2018 through May 11, 2018). **Jacquelyn Bobroff** is allowed to ride designated races.

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.

By Order of The SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-31
Track SunRay Park
Ruling Date: 5/6/2018

Licensee: ORONA,SR MARTIN RODRIGUEZ

License Type: 2016 3 Year Trainer Applicant Id: 19384
License Number: 284004

Ruling # 2018-SRP-31

Action Type: Initial Ruling

Ruling:

Trainer Martin Orona Sr. having been duly notified telephonically and waived a formal hearing before the Board of Stewards on **May 6, 2018**, for failure to declare equipment (**Blinkers Off**) at time of entry for **"Tempting Love"**, entered in **the 3rd race on May 4, 2018 at SunRay Park Racetrack.**

Licensee is found to be in violation of:

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

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

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

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

For this rule violation, the Board of Stewards assessed **Martin Orona Sr.** a penalty in the amount of **one hundred dollars (\$ 100.00).** The fine is to paid on or before **June 6, 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.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-32
Track SunRay Park
Ruling Date: 5/6/2018

Licensee: ROMAN, JR JAVIER

License Type: 2016 3 Year Trainer Applicant Id: 17950
License Number: 284154

Ruling # 2018-SRP-32

Action Type: Initial Ruling

Ruling:

Trainer Javier Roman Jr. having been duly notified telephonically and waived a formal hearing before the Board of Stewards on **May 6, 2018**, for failure to bring a water bucket to the test barn **on May 4, 2018 at SunRay Park Racetrack.**

This conduct, action, or omission has resulted in charges or allegation against you that you are in violation of the following New Mexico Racing Commission Rules and or Policy.

15.2.2.8 (O)(2) Test Barn The test barn must be equipped with a walk ring that is large enough to accommodate 10 horses; at least three enclosed stalls that permit observation of the collection process and provide for the protection of collection personnel; facilities and equipment for the collection, identification and storage of samples; a wash rack that is large enough to accommodate three horses at the same time; hot and cold running water; *clean water buckets supplied by the trainer for each horse.*

15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
16.47.1.8(N) Last Known Address

For this rule violation, the Board of Stewards assessed **Javier Roman Jr.** a penalty in the amount of **fifty dollars (\$ 50.00).** The fine is to paid on or before **June 6, 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.

By Order of The SunRay 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-SRP-33
Track SunRay Park
Ruling Date: 5/6/2018

Licensee: MARQUEZ, JOSE LUIS

License Type: 2015 3 Year Trainer Applicant Id: 23709
License Number: 277384

Ruling # 2018-SRP-33

Action Type: Initial Ruling

Ruling:

Trainer **Jose Luis Marquez** having been duly notified telephonically and waived his formal hearing before the Board of Stewards on **May 6, 2018**, for failing to have the owner licensed for entry "**Enuff Bull**", which resulted in a late scratch out of **the 9th race on May 5, 2018, at SunRay Park Racetrack.**

Licensee is found to be in violation of:

15.2.5.12(X) Horse ineligible 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) Trainer Responsibility: Which states in pertinent part "The 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".

16.47.1.10 (C)(16) Trainer Responsibility The Trainer is responsible for disclosure of the true and entire ownership of each horse in their care, custody or control; any change in ownership must be reported immediately to, and approved by, the stewards and recorded by the racing secretary

For this violation, the Board of Stewards assessed **Jose Luis Marquez** a fine in the amount **of two hundred dollars (\$200.00)**. The fine is to be paid on or before **June 6, 2018** 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 written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(a) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-34
Track SunRay Park
Ruling Date: 5/7/2018

Licensee: MARQUEZ, JOSE LUIS

License Type: 2015 3 Year Trainer Applicant Id: 23709
License Number: 277384

Ruling # 2018-SRP-34

Action Type: Initial Ruling

Ruling:

Trainer Jose Luis Marquez having been duly notified telephonically and waived a formal hearing before the Board of Stewards on **May 7, 2018**, for failure to bring a water bucket to the test barn **on May 6, 2018 at SunRay Park Racetrack.**

This conduct, action, or omission has resulted in charges or allegation against you that you are in violation of the following New Mexico Racing Commission Rules and or Policy.

15.2.2.8 (O)(2) Test Barn The test barn must be equipped with a walk ring that is large enough to accommodate 10 horses; at least three enclosed stalls that permit observation of the collection process and provide for the protection of collection personnel; facilities and equipment for the collection, identification and storage of samples; a wash rack that is large enough to accommodate three horses at the same time; hot and cold running water; *clean water buckets supplied by the trainer for each horse.*

15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
16.47.1.8(N) Last Known Address

For this rule violation, the Board of Stewards assessed **Jose Luis Marquez** a penalty in the amount of **fifty dollars (\$ 50.00).** The fine is to paid on or before **June 7, 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.

By Order of The SunRay 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-SRP-35
Track SunRay Park
Ruling Date: 5/7/2018

Licensee: SEDILLO, RICHARD D

License Type: 2016 3 Year Trainer Applicant Id: 29631
License Number: 283415

Ruling # 2018-SRP-35

Action Type: Initial Ruling

Ruling:

Trainer Richard D. Sedillo having been duly telephonically and waived a formal hearing before the Board of Stewards on **May 7, 2018**, for failure to declare equipment **(Blinkers Off)** at time of entry for **"Torito Power"**, entered in **the 2nd race on May 6, 2018 at SunRay Park Racetrack.**

Licensee is found to be in violation of:

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

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

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

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

For this rule violation, the Board of Stewards assessed **Richard D. Sedillo** a penalty in the amount of **one hundred dollars (\$ 100.00).** The fine is to paid on or before **June 7, 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.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-36
Track SunRay Park
Ruling Date: 5/7/2018

Licensee: SHULTS, CHARLES DUKE

License Type: 2015 3 Year Trainer Applicant Id: 5343
License Number: 278064

Ruling # 2018-SRP-36

Action Type: Initial Ruling

Ruling:

Trainer: **Charles Duke Shults**, having been duly notified, and having failed to appear, had **his** hearing held in absentia before the Board of Stewards on **April 30, 2018, at SunRay Park Racetrack** concerning an **outstanding financial obligation to Finish Line Feeds in the amount of \$985.00 plus \$10.00 bank fee, for NSF check.**

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to **Charles Duke Shults** be immediately suspended starting **May 7, 2018** and that **he** be deemed ineligible for any future licensing in New Mexico until such time that full payment is made.

Licensee is found in Violation of:

16.47.1.8 L (1)(J) NMAC: Grounds For Refusal, Denial, Suspension, or Revocation of License

16.47.1.8 (I): Financial Responsibility

This ruling is written in accordance with:

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

15.2.1.9(B)(4)(d) Non appearance of a summoned party

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-37
Track SunRay Park
Ruling Date: 5/7/2018

Licensee: SHULTS, CHARLES DUKE

License Type: 2015 3 Year Trainer Applicant Id: 5343
License Number: 278064

Ruling # 2018-SRP-37

Action Type: Initial Ruling

Ruling:

Trainer: **Charles Duke Shults**, having been duly notified, and having failed to appear, had **his** hearing held in absentia before the Board of Stewards on **May 7, 2018, at SunRay Park Racetrack** concerning an **outstanding court ordered financial obligation to Michael Scott Hamiltin in the amount of \$9999.00 plus 8.75% interest.**

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to **Charles Duke Shults** be immediately suspended starting **May 7, 2018** and that **he** be deemed ineligible for any future licensing in New Mexico until such time that full payment is made

Licensee is found in Violation of:

16.47.1.8 L (1)(J) NMAC: Grounds For Refusal, Denial, Suspension, or Revocation of License

16.47.1.8 (I): Financial Responsibility

This ruling is written in accordance with:

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

15.2.1.9(B)(4)(d) Non appearance of a summoned party

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b):

Which states 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 SunRay Park Stewards

Victor Escobar

Ron Walther

Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-38
Track SunRay Park
Ruling Date: 5/7/2018

Licensee: PEREZ, MIGUEL ANGEL

License Type: 2018 3 Year Jockey Applicant Id: 31329
License Number: 289006

Ruling # 2018-SRP-38

Action Type: Initial Ruling

Ruling:

Jockey Miguel A. Perez, having been summoned and having appeared before the Board of Stewards on May 7, 2018, for careless riding during the running of the 9th race on May 6, 2018 while aboard #4 "Doms Dynamo" used poor judgment mid stretch by steering in and bumping #3 out of his lane is found to be in violation of Commission rules.

Licensee is found in violation of:

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

For this rule violation, the Board of Stewards assessed Miguel Perez a suspension of 5 calendar days (May 21, 2018 through May 26, 2018). Miguel Perez is allowed to ride designated races.

This ruling is written in accordance with:

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-39
Track SunRay Park
Ruling Date: 5/7/2018

Licensee: VASQUEZ-VASQUEZ, HIPOLITO

License Type: 2015 3 Year Owner Applicant Id: 157905
License Number: 278980

Ruling # 2018-SRP-39

Action Type: Initial Ruling

Ruling:

Owner/ Stable: **Hipolito Vasquez (A & H Construction LLC)**, having been duly notified, and having failed to appear, had **his** hearing held in absentia before the Board of Stewards on **May 7, 2018, at SunRay Park Racetrack** concerning an **outstanding court ordered financial obligation to Jose A. Ramos in the amount of \$3409.40.**

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to **Hipolito Vasquez (A & H Construction LLC)** be immediately suspended starting **May 7, 2018** and that **he** be deemed ineligible for any future licensing in New Mexico until such time that full payment is made

Licensee is found in Violation of:

16.47.1.8 L (1)(J) NMAC: Grounds For Refusal, Denial, Suspension, or Revocation of License
16.47.1.8 (I): Financial Responsibility

This ruling in written in accordance with:

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

15.2.1.9(B)(4)(d) Non appearance of a summoned party

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-40
Track SunRay Park
Ruling Date: 5/11/2018

Licensee: VASQUEZ-VASQUEZ, HIPOLITO

License Type: 2015 3 Year Owner Applicant Id: 157905
License Number: 278980

Ruling # 2018-SRP-40

Action Type: Initial Ruling

Ruling:

Trainer **Hipolito Vasquez (A&H Construction LLC)** appeared **Telephonically** before the Board of Stewards on **May 11, 2018, at SunRay Park Racetrack** concerning an **outstanding financial obligation (court judgment) to Jose A. Ramos in the amount of \$3409.40.**

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to Hipolito Vasquez (A&H Construction LLC) be reinstated and in good standings having paid the fine **Ruling Sunray Park #2018-SRP-39 on May 11, 2018**

This ruling in written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-41
Track SunRay Park
Ruling Date: 5/12/2018

Licensee: RODRIGUEZ, ISIDRO JAVIER

License Type: 2017 3 Year Trainer Applicant Id: 31743
License Number: 288342

Ruling # 2018-SRP-41

Action Type: Initial Ruling

Ruling:

Trainer **Isidro Rodriguez** having been duly notified appeared and waived a formal hearing before the Board of Stewards on **May 12, 2018**, for failure to declare equipment (**Blinkers On**) at time of entry for "**Major Alligator**", entered in the 6th race on May 4, 2018 at SunRay Park Racetrack.

Licensee is found to be in violation of:

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

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

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

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

For this rule violation, the Board of Stewards assessed **Isidro Rodriguez** a penalty in the amount of one hundred dollars (**\$ 100.00**). The fine is to paid on or before **June 12, 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.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-42
Track SunRay Park
Ruling Date: 5/12/2018

Licensee: GONZALEZ, CARLOS C.

License Type: 2016 3 Year Trainer Applicant Id: 28926
License Number: 284517

Ruling # 2018-SRP-42

Action Type: Initial Ruling

Ruling:

Trainer: Carlos Gonzalez, having been duly notified and having waived his right to a formal hearing before the Board Of Stewards on April, 23 2018, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Phenylbutazone (class 4 penalty category C drug) found in test sample NM 30429 taken from the winner "Double Storm" following the 10th race, on April 10, 2018 at Sunland Park Racetrack in Sunland Park, NM.

The original lab report indicated a finding of Phenylbutazone at 2.46 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 Carlos Gonzalez.

Erik Gonzalez is the owner of record for horse "Double Storm".

Licensee is found to be in violation of:

15.2.6.9(C)(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".

In accordance with 15.2.6.9 (B)(3) NMAC, this is Carlos Gonzalez's FIRST Class 4C minor violation. For this FIRST Class 4C medication violation issued in accordance with 15.2.6.9 (C)(6) NMAC, the Board of Stewards assessed Carlos Gonzalez a penalty as follows:

1. If the trainer has not had more than one violation involving a drug that carries a category C penalty within the previous two years, the stewards are encouraged to issue a **WARNING** in lieu of a fine provided the reported level in phenylbutazone is below 3.0 micrograms per milliliter absent of aggravating factors.

This ruling is written in accordance with:

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES (4) Class 4 -
15.2.6.11(A) NMAC: Trainer Responsibility
16.47.1.10(B)(1) NMAC: Absolute Insurer
15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:

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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-43
Track SunRay Park
Ruling Date: 5/12/2018

Licensee: GONZALEZ, ERICK G

License Type: 2015 3 Year Owner Applicant Id: 32875
License Number: 279074

Ruling # 2018-SRP-43

Action Type: Initial Ruling

Ruling:

Owner: **Erik Gonzalez**, having been duly notified and having waived his right to a formal hearing telephonically before the Board Of Stewards on **April 23, 2018**, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Phenylbutazone (class 4 penalty category C drug) found in test sample **NM 30429** taken from the **winner "Double Storm"** following **the 10th race, on April 10, 2018 at Sunland Park Racetrack in Sunland Park, NM.**

The original lab report indicated a finding of Phenylbutazone at **2.46 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 trainer **Carlos Gonzalez.**

Carlos Gonzalez is the trainer of record for horse "Double Storm".

Licensee is found to be in violation of: 15.2.6.9(C)(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 C. PENALTY RECOMMENDATIONS: In accordance with 15.2.6.9 (B)(3) NMAC, For this **FIRST Class 4C medication violation** issued in accordance with 15.2.6.9 (B)(3) NMAC, the Board of Stewards assess **Erik Gonzalez** a penalty as follows:

- 1, Owner's 1st offense (365-day period) in any jurisdiction, **This is a WARNING.**
2. **No change in the official order of finish.**

This ruling is written in accordance with:

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES (4) Class 4 -

15.2.6.11(A) NMAC: Trainer Responsibility

16.47.1.10(B)(1) NMAC: Absolute Insurer

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The SunRay 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-SRP-44
Track SunRay Park
Ruling Date: 5/12/2018

Licensee: VURGUN, ZAFER

License Type: 2016 3 Year Trainer Applicant Id: 27833
License Number: 282488

Ruling # 2018-SRP-44

Action Type: Initial Ruling

Ruling:

Trainer: Zafer Vergun, having been duly notified and having waived his right to a formal hearing telephonically before the Board of Stewards on May 11, 2018, regarding a lab report from UC Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse "**Gold Boundry**" (Test Sample #: **NM 30388**), who finished 2nd in the 9th race on April 7, 2018 at Sunland Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to Zafer Vergun and declined.

Ramiro Miranda, owner of record for horse "**Gold Boundry**", was duly notified and failed to appear for this hearing.

Licensee is found in violation of

15.2.6.9(C)(1) : prima facie evidence 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(C)(4) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

For Zafer Vergun's **FIRST Class 3B medication violation in a 365- day period** issued in accordance with **15.2.6.9 (B)(2)Penalty Recommendations**, the Board of Stewards assessed a penalty as follows:

1. **A 30 day suspension of all NMRC licenses starting May 11, 2018, through June 10, 2018, inclusive.**
2. **(\$750.00) Seven Hundred and Fifty dollar fine to paid on or before June 10, 2018**, in accordance with **15.2.3.8 (B)(3)(l)** . Failure to pay fine in prescribed time may result in an immediate suspension.
3. **Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7), 15.2.6.9(C)(5)(c), 15.2.6.9(C)(4),the horse "Gold Boundry"** is placed on the Stewards list for a period of 60 days (beginning **April 18, 2018**).

During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

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

By Order of The SunRay Park Stewards

Victor Echen

Ron Walker

Freda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-45
Track SunRay Park
Ruling Date: 5/12/2018

Licensee: TAPIA, ADAM A

License Type: 2017 3 Year Trainer Applicant Id: 19262
License Number: 285746

Ruling # 2018-SRP-45

Action Type: Initial Ruling

Ruling:

Trainer: **Adam A. Tapia** having been duly notified and having appeared before the Board of Stewards on April 23, 2018, regarding his summary suspension effective April 13, 2018, (2018-SUN-244 and 2018-SUN-245), waived his right to a hearing regarding a lab report from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (Class 2 penalty A) drug "Zilpaterol" detected in horse "Howdy James" (Test Sample #: NM30275), who finished in 1st place in the 5th race on March 30, 2018, at Sunland Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Adam A. Tapia**.

Pedro Carrillo-Gomez, is the owner of record for horse "Howdy James".

Licensee is found in violation of

15.2.6.9(C)(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".
16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

This is **Adam A. Tapia's** 1st Class 2A medication violation issued in accordance with 15.2.6.9 (B)(1), the Board of Stewards assessed a penalty as follows.

A 1 Year suspension of all NMRC licenses starting consecutively from ruling 2018-SUN-244, April 13, 2018 through April 12, 2019, inclusive.

1. **(\$10,000) Ten thousand dollar fine to paid on or before June 11, 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 "Howdy James" is placed on the Stewards list for a period of 180 days (beginning **April 13, 2018**). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

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

This ruling is written in accordance with

15.2.6.11(A) NMAC: Trainer Responsibility
and 16.47.1.10(B)(1) NMAC: Absolute Insurer: 15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority

By Order of The SunRay 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-SRP-46
Track SunRay Park
Ruling Date: 5/12/2018

Licensee: QUINTANA-GUTIERREZ, JUAN

License Type: 2015 3 Year Trainer Applicant Id: 30422
License Number: 279088

Ruling # 2018-SRP-46

Action Type: Initial Ruling

Ruling:

Trainer **Juan Quintana Gutierrez** having been duly notified appeared and waived his rights to a formal hearing before the Board of Stewards on **May 11, 2018**, for failing to have a current **Coggins** for entry "**Nang Noi**" which resulted in a scratch and mutuel refund in the 7Th race on May 7, 2018 at Sunray Park.

Licensee is found to be in violation of.

15.2.5.12(Z) **Horse ineligible** A horse shall be ineligible to start when "there is no current negative test certificate for equine infectious anemia on file with the racing office, as required by the commission".

16.47.1.10(C)(5) **Trainer Responsibility** The trainer is responsible for the proper identity, custody, care, health, condition, and safety of horses in their charge.

16.47.1.10(C)(15) **Trainer Responsibility** The trainer is responsible for maintaining a knowledge of the medication record and status of all horses in their care.

For this violation, the Board of Stewards assessed **Juan Quintana** a fine in the amount **of two hundred dollars (\$200.00)**. The fine is to be paid on or before **June 12, 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

This ruling is written in accordance with

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-47
Track SunRay Park
Ruling Date: 5/12/2018

Licensee: TAPIA, ADAM A

License Type: Applicant Id: 19262
License Number:

Ruling # 2018-SRP-47

Action Type: Initial Ruling

Ruling:

error in system not issued

By Order of The SunRay 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-SRP-48
Track SunRay Park
Ruling Date: 5/12/2018

Licensee: TAPIA, ADAM A

License Type: 2017 3 Year Trainer Applicant Id: 19262
License Number: 285746

Ruling # 2018-SRP-48

Action Type: Initial Ruling

Ruling:

Trainer: **Adam A. Tapia** having been duly notified and having appeared before the Board of Stewards on April 23, 2018, regarding his summary suspension effective April 13, 2018, (2018-SUN-244 and 2018-SUN-245), waived his right to a hearing regarding a lab report from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (Class 2 penalty A) drug "Zilpaterol" detected in horse "Ms Elegant Eyes" (Test Sample #: NM30280), who finished in 1st place in the 7th race on March 30, 2018, at Sunland Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Adam A. Tapia**.

Jorge L. Carrillo, is the owner of record for horse "Ms Elegant Eyes".

Licensee is found in violation of

15.2.6.9(C)(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".
16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

This is **Adam A. Tapia's** 2nd Class 2A medication violation issued in accordance with 15.2.6.9 (B)(1), the Board of Stewards assessed a penalty as follows.

1. A 3 Year suspension of all NMRC licenses starting consecutively from ruling 2018-SUN-244, April 13, 2019 through April 12, 2022, inclusive. **These dates are associated with other rulings, and may become effective immediately if those rulings are amended.**

2. **(\$25,000) Twenty-Five thousand dollar fine to paid on or before June 11, 2018**, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.

3. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(c), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d), the horse "Ms Elegant Eyes" is placed on the Stewards list for a period of 180 days (beginning April 13, 2018). 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.

4. **Adam A. Tapia is referred to the Commission before reinstatement.**

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

This ruling is written in accordance with

15.2.6.11(A) NMAC: Trainer Responsibility

and 16.47.1.10(B)(1) NMAC: Absolute Insurer Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

By Order of The SunRay Park Stewards

Victor Esch *Ron Wach* *Linda Schinas*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-49
Track SunRay Park
Ruling Date: 5/12/2018

Licensee: MIRANDA, RAMIRO

License Type: 2017 3 Year Owner Applicant Id: 159913
License Number: 285900

Ruling # 2018-SRP-49

Action Type: Initial Ruling

Ruling:

Owner: Ramiro Miranda having been duly notified, and failed to appear before the Board of Stewards on May 11, 2018, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected at 123 pg/ml in the horse "Gold Boundry" (Test Sample #: NM 30388), who finished 2nd in the 9th race on April 7, 2018, at Sunland Park. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to Ramiro Miranda and declined.

Licensee is found in violation of

15.2.6.9(C)(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(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

For **Ramiro Miranda** 1st Class 3B medication violation in a 365 day period issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards assessed a penalty as follows.

1. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(c), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d), the horse "Gold Boundry" is placed on the Stewards list for a minimum period of 60 days (beginning April 18, 2018). 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 "Gold Boundry" is hereby disqualified from 2nd Place and ordered unplaced from the 9th race on April 7, 2018 at Sunland Park for all but pari-mutuel wagering. The purse redistribution is as follows.

1. He's Another Who
2. Mr. Digger
3. Primo Pro
4. Jonesey Who
5. Golly Gee
6. Hush's Storm
7. Get Er Done
8. Doms Dynamo

Unplaced "Gold Boundry"

This ruling is written in accordance with:

15.2.3.8(B)(3)(k): Redistribution of Purses and Prizes/ 15.2.5.13(E)(4)(d) : Stewards General Authority/ 15.2.3.8 B (3)(f) Stewards Disciplinary Action/ 15.2.3.8 B (1) (d) Stewards General Authority/ 16.47.1.8. T. KNOWLEDGE OF RULES/ 16.47.1.3 Statutory Authority

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-50
Track SunRay Park
Ruling Date: 5/12/2018

Licensee: MIRANDA, RAMIRO

License Type: 2017 3 Year Owner Applicant Id: 159913
License Number: 285900

Ruling # 2018-SRP-50

Action Type: Initial Ruling

Ruling:

Issued in error.

By Order of The SunRay 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-SRP-51
Track SunRay Park
Ruling Date: 5/12/2018

Licensee: VURGUN, ZAFER

License Type: 2016 3 Year Trainer Applicant Id: 27833
License Number: 282488

Ruling # 2018-SRP-51

Action Type: Initial Ruling

Ruling:

Trainer: Zafer Vergun, having been duly notified and waived his formal hearing telephonically before the Board of Stewards on May 11, 2018, regarding a lab report from UC Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse "**Telequest**" (Test Sample #: **NM 30489**), who finished 1st in the 7th race on April 17, 2018 at Sunland Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **Zafer Vergun** and declined.

Ramiro Miranda, owner of record for horse "**Telequest**", was duly notified and failed to appear for this hearing.

Licensee is found in violation of

15.2.6.9(C)(1) : prima facie evidence 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(C)(4) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

For Zafer Vergun's Second Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (B)(2)Penalty Recommendations, the Board of Stewards assessed a penalty as follows:

- 1. A 60 day suspension of all NMRC licenses starting June 11, 2018, through August 10, 2018, inclusive. These dates are associated with other rulings, and may become effective immediately if those rulings are amended.**
- 2. (\$1,500.00) Fifteen hundred dollar fine to paid on or before June 10, 2018, in accordance with 15.2.3.8 (B)(3)(I) . Failure to pay fine in prescribed time may result in an immediate suspension.**
- 3. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7), 15.2.6.9(C)(5)(c), 15.2.6.9(C)(4), the horse "Telequest" is placed on the Stewards list for a period of 60 days (beginning May 2, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.**

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

By Order of The SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-52
Track SunRay Park
Ruling Date: 5/13/2018

Licensee: CARRILLO-GOMEZ, PEDRO
License Type: 2016 3 Year Owner Applicant Id: 33606
License Number: 283115

Ruling # 2018-SRP-52

Action Type: Initial Ruling

Ruling:

Owner: **Pedro Carrillo-Gomez** having been duly notified and having appeared before the Board of Stewards to waive his right to a formal hearing on May 11, 2018, regarding lab report from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (**Class 2 penalty A**) drug "**Zilpaterol**" detected in horse "**Howdy James**" (Test Sample #: NM30275), who finished in 1st place in the 5th race on March 30, 2018, at Sunland Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer **Adam A. Tapia**.

Adam A. Tapia, is the trainer of record for horse "**Howdy James**".

Licensee is found in violation of

15.2.6.9(C)(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". **16.47.1.8 (U)(1) PROTECTION OF HORSES** Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

This is **Pedro Carrillo-Gomez's** 1st Class 2A medication violation issued in accordance with 15.2.6.9 (B)(1), the Board of Stewards assessed a penalty as follows.

1. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(e), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d), the horse "**Howdy James**" is placed on the Stewards list for a period of 180 days (beginning **April 13, 2018**). 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 "**Howdy James**" is hereby disqualified from **1st Place** and ordered unplaced from the **5th race on March 30, 2018 at Sunland Park Racetrack** for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Linda Tee Fire
 2. Ej Jr
 3. Blow
 4. Jess a Satin Flash
 5. Dm Little B
 6. Runaway Jeans
 7. Frisco Jess
 8. Dynasty of Speed
 9. Perry Tees Jet
- Unplaced "**Howdy James**"

This ruling is written in accordance with

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

15.2.1.9(B)(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 Sunray Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-53
Track SunRay Park
Ruling Date: 5/13/2018

Licensee: CARRILLO, JORGE LUIS

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

Ruling # 2018-SRP-53

Action Type: Initial Ruling

Ruling:

Owner: **Jorge L. Carrillo** having been duly notified and having appeared before the Board of Stewards to waive his right to a formal hearing on May 11, 2018, regarding lab report from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (**Class 2 penalty A**) drug "**Zilpaterol**" detected in horse "**Ms Elegant Eyes**" (Test Sample #: NM30280), who finished in 1st place in the 7th race on March 30, 2018, at Sunland Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer **Adam A. Tapia**.

Adam A. Tapia is the trainer of record for horse "**Ms Elegant Eyes**".

Licensee is found in violation of

15.2.6.9(C)(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".
16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

This is **Jorge L. Carrillo** 1st Class 2A medication violation issued in accordance with 15.2.6.9 (B)(1), the Board of Stewards assessed a penalty as follows.

1. Pursuant to rules **15.2.3 (B)(9)(a)(e)**, **15.2.6.9(C)(7)(c)**, **15.2.6.9(C)(8)**, **15.2.6.9(C)(9)(a-d)**, the horse "**Ms Elegant Eyes**" is placed on the Stewards list for a period of 180 days (beginning **April 13, 2018**). 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 "**Ms Elegant Eyes**" is hereby disqualified from **1st Place** and ordered unplaced from the **7th** race on **March 30, 2018** at **Sunland Park Racetrack** for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Howbouthiscowgirl
 2. Willie Flash Me
 3. Mountain Moon Flash
 4. Passemupjesse
 5. Avallon
 6. Mr Flash the Moolah
 7. Diez Menudos
 8. Scooters Debutant
 9. Six Pax Fire
- Unplaced "**Ms Elegant Eyes**"

This ruling is written in accordance with

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

15.2.1.9(B)(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 Sunray Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-54
Track SunRay Park
Ruling Date: 5/13/2018

Licensee: RODRIGUEZ, ISIDRO JAVIER

License Type: 2017 3 Year Trainer Applicant Id: 31743
License Number: 288342

Ruling # 2018-SRP-54

Action Type: Initial Ruling

Ruling:

Trainer **Isidro Rodriquez** having been duly notified telephonically and waived a formal hearing before the Board of Stewards on May 13, 2018, for failure to bring a water bucket to the test barn on May 11, 2018 at SunRay Park Racetrack.

This conduct, action, or omission has resulted in charges or allegation against you that you are in violation of the following New Mexico Racing Commission Rules and or Policy.

15.2.2.8 (O)(2) Test Barn The test barn must be equipped with a walk ring that is large enough to accommodate 10 horses; at least three enclosed stalls that permit observation of the collection process and provide for the protection of collection personnel; facilities and equipment for the collection, identification and storage of samples; a wash rack that is large enough to accommodate three horses at the same time; hot and cold running water; *clean water buckets supplied by the trainer for each horse.*

15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
16.47.1.8(N) Last Known Address

For this rule violation, the Board of Stewards assessed **Isidro Rodriquez** a penalty in the amount of **fifty dollars (\$ 50.00)**. The fine is to paid on or before June 13, 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.

By Order of The SunRay 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-SRP-55
Track SunRay Park
Ruling Date: 5/13/2018

Licensee: SHULTS, CHARLES DUKE

License Type: 2015 3 Year Trainer Applicant Id: 5343
License Number: 278064

Ruling # 2018-SRP-55

Action Type: Initial Ruling

Ruling:

Finish Line Feeds notified the board of Steward the financial obligation in the amount of \$985.00 Plus \$10.00 Bank fee, for NSF Ruling #2018-SRP-36 has been paid on May 13, 2018.

Licensee is found in Violation of:

16.47.1.8 L (1)(J) NMAC: Grounds For Refusal, Denial, Suspension, or Revocation of License

16.47.1.8 (I): Financial Responsibility

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The SunRay 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-SRP-56
Track SunRay Park
Ruling Date: 5/13/2018

Licensee: GALLEGOS, TONY M.

License Type: 2018 3 Year Trainer Applicant Id: 26850
License Number: 289546

Ruling # 2018-SRP-56

Action Type: Initial Ruling

Ruling:

Trainer: Tony M. Gallegos, having been duly notified and having responded telephonically before the Board of Stewards on May 12, 2018, regarding a lab report from UC Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse "**Future Jabonero**" (Test Sample #: NM 09839), who finished 3rd in the 10th race on November 29, 2014 at Zia Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **Tony M. Gallegos** and declined.

Pedro Carrillo, owner of record for horse "**Future Jabonero**", was duly notified and appeared for this hearing.

Licensee is found in violation of

15.2.6.9(C)(1) : prima facie evidence 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(C)(4) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

For Tony M. Gallegos's FIRST Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards assessed a penalty as follows:

A 15 day suspension of all NMRC licenses starting May 12, 2018, through May 26, 2018, inclusive.

1. (\$750.00) Seven Hundred and Fifty dollar fine to paid on or before June 11, 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, Tony M. Gallegos 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 Tony M. Gallegos are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) .

This ruling is written in accordance with

15.2.6.11(A)(B) NMAC: Trainer Responsibility

16.47.1.10(B)(1)(2) NMAC: Absolute Insurer Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

15.2.1.9(B)(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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-57
Track SunRay Park
Ruling Date: 5/14/2018

Licensee: GONZALEZ, ELVIN

License Type: 2017 3 Year Jockey Applicant Id: 86768
License Number: 285672

Ruling # 2018-SRP-57

Action Type: Initial Ruling

Ruling:

Jockey **Elvin Gonzalez**, having been summoned and appeared before the Board of Stewards on **May 13, 2018**, for failure to make sufficient effort to control his mount "**Don't Give Up On Me**" nearing the wire in the **9th** Race on May 12, 2018 at SunRay Park Race Track.

Licensee is found in violation of:

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

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

The Board of Stewards hereby assesses Elvin Gonzalez, a fine in the amount of **two hundred Fifty dollars, (\$250.00)**. This fine is to be paid on or before **June 14, 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.

This ruling is written in accordance with:

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-58
Track SunRay Park
Ruling Date: 5/14/2018

Licensee: GALLEGOS, TONY M.

License Type: 2018 3 Year Trainer Applicant Id: 26850
License Number: 289546

Ruling # 2018-SRP-58

Action Type: Initial Ruling

Ruling:

Trainer: **Tony M. Gallegos**, having been duly notified and having waived his rights to a formal hearing before the Board Of Stewards on May 12, 2018, regarding a confirmation from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the class 4 Penalty C therapeutic drugs Phenylbutazone and Flunixin (a stacking violation) found in test sample NM09887 taken from the horse "**Miracle Fish**" following the 3th race, on **December 2, 2014**, at Zia Park Racetrack, in Hobbs, NM.

The original lab report indicated a finding of Phenylbutazone at 1.37 micrograms per milliliter in the blood and Flunixin at 25.6 nanograms per milliliter in the blood. Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to and declined by **Tony M. Gallegos**

Pedro Carrillo, is the owner of record for horse "**Miracle Fish**", was duly notified.

Licensee is found to be in violation of:

**15.2.6.9 N. Non-steroidal anti-inflammatory drugs (NSAIDs)/15.2.6.9(C)(1) : Prima Facie Evidence
16.47.1.8 (U)(1) PROTECTION OF HORSES /15.2.6.9(B)(4) PENALTY RECOMMENDATIONS**

MITIGATING CIRCUMSTANCES=ARCI RULES IN EFFECT IN 2014

For Tony M. Gallegos's FIRST Class 4C medication violation in a 365-day period, issued in accordance with 15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS, the Board of Stewards assessed a penalty as follows:

1. **A (\$250.00) Two Hundred Fifty dollar fine to paid on or before June 11, 2018**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC:

This ruling is written in accordance with:

15.2.6.9 CLASS 4 UNIFORM CLASSIFICATION GUIDELINES /15.2.6.11(A): Trainer /15.2.6.11(B) Trainer Responsibility 16.47.1.10 (C) (5) TRAINER RESPONSIBILITY: /16.47.1.10(B)(1): Absolute Insurer 16.47.1.8 (L)(1)(i) – CONDUCT 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b):

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

By Order of The SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-59
Track SunRay Park
Ruling Date: 5/14/2018

Licensee: CARRILLO-GOMEZ, PEDRO
License Type: 2016 3 Year Owner Applicant Id: 33606
License Number: 283115

Ruling # 2018-SRP-59

Action Type: Initial Ruling

Ruling:

Owner: **Pedro Carrillo**, having been duly notified and having waived his rights to a formal hearing before the Board Of Stewards on May 12, 2018, regarding a confirmation from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the class 4 Penalty C therapeutic drugs Phenylbutazone and Flunixin (a stacking violation) found in test sample NM09887 taken from the horse "**Miracle Fish**" following the 3th race, on **December 2, 2014**, at Zia Park Racetrack, in Hobbs, NM.

The original lab report indicated a finding of Phenylbutazone at 1.37 micrograms per milliliter in the blood and Flunixin at 25.6 nanograms per milliliter in the blood. Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to and declined by trainer **Tony M. Gallegos**

Licensee is found to be in violation of:

15.2.6.9 N. Non-steroidal anti-inflammatory drugs (NSAIDs)/15.2.6.9(C)(1) : Prima Facie Evidence
16.47.1.8 (U)(1) PROTECTION OF HORSES /15.2.6.9(B)(4) PENALTY RECOMMENDATIONS

MITIGATING CIRCUMSTANCES=ARCI RULES IN EFFECT IN 2014

For Pedro Carrillo's FIRST Class 4C medication violation in a 365-day period, issued in accordance with 15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS, the Board of Stewards assessed a penalty as follows:

1. **A WARNING**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC:
2. **No change in the official order of finish**

This ruling is written in accordance with:

15.2.6.9 CLASS 4 UNIFORM CLASSIFICATION GUIDELINES /15.2.6.11(A): Trainer /15.2.6.11(B) Trainer Responsibility 16.47.1.10 (C) (5) TRAINER RESPONSIBILITY: /16.47.1.10(B)(1): Absolute Insurer 16.47.1.8 (L)(1)(i) – CONDUCT 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b):

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

By Order of The SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-60
Track SunRay Park
Ruling Date: 5/14/2018

Licensee: QUINTANA, ERIC

License Type: 2017 3 Year Trainer Applicant Id: 32469
License Number: 287645

Ruling # 2018-SRP-60

Action Type: Initial Ruling

Ruling:

Trainer: **Eric Quintana**, having been duly notified, and having appeared before the Board of Stewards on May 13, 2018, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive test for the drug "**Methocarbamol**" which was found in sample **NM 30274**, after it was collected from the horse, "**Humble N Noble**" which finished 1st in the 4th race, March 30, 2018 at the Sunland Park Racetrack.

(The original lab report indicated a finding of Methocarbamol at 6.0 ng/ml in urine sample. This exceeds the authorized limit of 1.0 ng/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded, and declined.

Eric Quintana is found to be in violation of:

15.2.6.9(D)(1-2-3) NMAC: Which states in pertinent part 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 in pertinent part "The permitted quantitative test level of Methocarbamol shall be administered in such dosage amount that the official test sample shall not exceed 1 ng/ml of plasma".

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

For this violation, the Board of Stewards assess **Eric Quintana** a penalty as follows;

1. A fine in the amount of One Thousand dollars, (\$1000.00).
2. The horse "**Humble N Noble**" must pass a commission approved examination before being eligible to enter..

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

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.

By Order of The SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-61
Track SunRay Park
Ruling Date: 5/14/2018

Licensee: ITURRALDE, OSMAN

License Type: 2016 3 Year Trainer Applicant Id: 33054
License Number: 281501

Ruling # 2018-SRP-61

Action Type: Initial Ruling

Ruling:

Trainer **Osman Iturralde** having been duly notified and having appeared before the Board of Stewards on May 13, 2018, regarding a security citation for working unlicensed help (in the test barn) **May 11, 2018, at SunRay Park Race Track.**

Licensee is found to be in violation of:

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

The Board of Stewards assessed **Osman Iturralde** a penalty in the amount of **two hundred dollars (\$200)**. The fine is to be paid on or before **June 14, 2018** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay this fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY
15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action
15.2.3.8 B (1) (a)(c)(d) Stewards General Authority
16.47.1.8 (T) KNOWLEDGE OF RULES
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required
16.47.1.8(N) Last Known Address
16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

By Order of The SunRay 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-SRP-62
Track SunRay Park
Ruling Date: 5/14/2018

Licensee: CASTILLO, LORENZO

License Type: 2017 3 Year Owner Applicant Id: 86502
License Number: 288452

Ruling # 2018-SRP-62

Action Type: Initial Ruling

Ruling:

Owner: Lorenzo Castillo, Jr. having been duly notified, and failed to appear before the Board of Stewards on May 13, 2018, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 4 penalty C) drug "Methocarbamol" detected in the amount of 6.0 ng/ml, in the horse "Humble N Noble" (Test Sample #: NM 30274), who finished 1st in the 4th race on March 30, 2018, at Sunland Park. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to Lorenzo Castillo, Jr. and declined.

Licensee is found in violation of

15.2.6.9(C)(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 in pertinent part "the permitted quantitative test level of Methocarbamol shall be administered in such dosage amount that the official test sample shall not exceed 1 ng/ml of plasma.

For Lorenzo Castillo, Jr. 1st Class 4 C medication violation the Board of Stewards assessed a penalty as follows.

1. The horse "Humble N Noble" must pass a commission approved examination before being eligible to enter.
2. The horse "Humble N Noble" is hereby disqualified from 1st Place and ordered unplaced from the 4th race on March 30, 2018 at Sunland Park for all but pari-mutuel wagering. The purse redistribution is as follows.
 1. A Diamond Mercedes
 2. Whatever Sis
 3. Woodie Anna
 4. Mississippi Blues
 5. Mistie Cartel
 6. Doce Menudos
 7. Chicks Lady Regard
 8. Daddy Lane
 9. Rapid Rafter

Unplaced "Humble N Noble"

This ruling is written in accordance with:

15.2.3.8(B)(3)(k): Redistribution of Purses and Prizes/ 15.2.5.13(E)(4)(d) : Stewards General Authority/ 15.2.3.8 B (3)(f) Stewards Disciplinary Action/ 15.2.3.8 B (1) (d) Stewards General Authority/ 16.47.1.8. T. KNOWLEDGE OF RULES/ 16.47.1.3 Statutory Authority
16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

By Order of The SunRay 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-SRP-63
Track SunRay Park
Ruling Date: 5/14/2018

Licensee: DE HERRERA, JOSE IGNACIO

License Type: 2016 3 Year Trainer Applicant Id: 16885
License Number: 284529

Ruling # 2018-SRP-63

Action Type: Initial Ruling

Ruling:

Trainer: Jose I. DeHerrera, having been duly notified and having waived his rights to a formal hearing before the **Board Of Stewards on May 13, 2018, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC)**, for a confirmed positive for the therapeutic drug, **Methylprednisolone** (class 4 penalty category C drug) found in test sample **NM 19024** taken from the **3rd place finisher "Untangled Vines"** following the **1st race, on September 1, 2016, at the Downs at Albuquerque Racetrack.**

The original lab report indicated a finding of **Methylprednisolone at 233pg/ml in the blood**, the allowable limit for **Methylprednisolone** is 100 pg/ml in the blood. Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to and accepted by trainer **Jose I. DeHerrera**, **but the proper paperwork was not available due to processing errors and no split was sent. Due process was not afforded to Jose I. DeHerrera and Owner Javier M. Chavez**

The Board of Stewards assess no penalty, and this case is dismissed .
NO CHANGE IN THE OFFICIAL ORDER OF FINISH.

This ruling is written in accordance with:

(1) General authority. In Part

(a) The stewards shall have authority to resolve conflicts or disputes related to racing and to discipline violators in accordance with the provisions of these rules.

(b) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

By Order of The SunRay 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-SRP-64
Track SunRay Park
Ruling Date: 5/14/2018

Licensee: CHAVEZ, JAVIER M

License Type: 2015 3 Year Owner Applicant Id: 20279
License Number: 279200

Ruling # 2018-SRP-64

Action Type: Initial Ruling

Ruling:

Owner: **Javier M. Chavez**, having been duly notified and having waived his rights to a formal hearing before the **Board Of Stewards on May 13, 2018, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC)**, for a confirmed positive for the therapeutic drug, **Methylprednisolone** (class 4 penalty category C drug) found in test sample **NM 19024** taken from the **3rd place finisher "Untangled Vines"** following the **1st race, on September 1, 2016, at the Downs at Albuquerque Racetrack.**

The original lab report indicated a finding of **Methylprednisolone at 233pg/ml in the blood**, the allowable limit for **Methylprednisolone** is 100 pg/ml in the blood. Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to and accepted by trainer **Jose I. DeHerrera**, **but the proper paperwork was not available due to processing errors and no split was sent. Due process was not afforded to trainer Jose I. DeHerrera and Owner Javier M. Chavez**

The Board of Stewards assess no penalty, and this case is dismissed .

NO CHANGE IN THE OFFICIAL ORDER OF FINISH.

This ruling is written in accordance with:

(1) General authority. In Part

(a) The stewards shall have authority to resolve conflicts or disputes related to racing and to discipline violators in accordance with the provisions of these rules.

(b) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

By Order of The SunRay 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-SRP-65
Track SunRay Park
Ruling Date: 5/14/2018

Licensee: CARRILLO-GOMEZ, PEDRO
License Type: 2016 3 Year Owner Applicant Id: 33606
License Number: 283115

Ruling # 2018-SRP-65

Action Type: Initial Ruling

Ruling:

Owner: Pedro Carillo, having been duly notified and having appeared before the Board of Stewards on May 12, 2018, regarding a lab report from UC Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse "Future Jabonero"

(Test Sample #: NM 09839), who finished 3rd in the 10th race on **November 29, 2014** at Zia Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **Pedro Carillo** and declined.

Tony Gallegos, trainer of record for horse "Future Jabonero", was duly notified and appeared telephonically for this hearing.

Licensee is found in violation of

15.2.6.9(C)(1) : prima facie evidence 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(C)(4) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

Mitigating Circumstances=ARCI Rules in effect 2014

For **Pedro Carillo's Third Class 3B medication violation in a 365- day period** issued in accordance with **15.2.6.9 (B)(2) Penalty Recommendations**, the Board of Stewards assessed a penalty as follows:

1. (\$2500) Twenty five hundred dollar fine to paid on or before **June 11, 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. The horse "**Future Habenero**" is hereby disqualified from 3rd Place and ordered unplaced from the 10th race on **November 29, 2014** at Zia Park Racetrack for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Stone Cottrell
 2. Call Me Cash Man
 3. Uno Mas Hero
 4. Making Fire
 5. Urbanite
 6. First Prize Jewel
 7. Cocoa Creme
 8. Double Chiseled
- Unplaced "Future Jabonero"

This ruling is written in accordance with

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47.1.8. T. KNOWLEDGE OF RULES:

15.2.1.9(B)(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 #: 2018-SRP-66
Track SunRay Park
Ruling Date: 5/18/2018

Licensee: CADENA, JR EMILIO

License Type: 2017 3 Year Trainer Applicant Id: 16767
License Number: 287244

Ruling # 2018-SRP-66

Action Type: Initial Ruling

Ruling:

Trainer **Emilio Cadena Jr.** having appeared before the Board of Stewards on **May 18, 2017**, for failing to have registration papers on file for entry **Rexellent**, which resulted in a late scratch and mutuel refund in the **8th race on May 14, 2018** at SunRay Park Racetrack.

Licensee is found to be in violation of.

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

For this violation, the Board of Stewards assessed **Emilio Cadena** a fine in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **June 18, 2018** 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 written in accordance with

15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(a) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-67
Track SunRay Park
Ruling Date: 5/18/2018

Licensee: GILES, WESLEY T

License Type: 2016 3 Year Trainer Applicant Id: 21313
License Number: 284440

Ruling # 2018-SRP-67

Action Type: Initial Ruling

Ruling:

Trainer **Wesley Giles** having been duly notified and having Jill Giles represent him appeared before the Board of Stewards on May 18, 2018, regarding a security citation for working unlicensed help (in the test barn) **May 11, 2018, at SunRay Park Race Track.**

Licensee is found to be in violation of:

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

The Board of Stewards assessed **Wesley Giles** a penalty in the amount of **two hundred dollars (\$200)**. The fine is to be paid on or before **June 18, 2018** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay this fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY

15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (a)(c)(d) Stewards General Authority

16.47.1.8 (T) KNOWLEDGE OF RULES

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required

16.47.1.8(N) Last Known Address

16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

By Order of The SunRay 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-SRP-68
Track SunRay Park
Ruling Date: 5/18/2018

Licensee: MARTINEZ, FRANKIE HAROLD

License Type: 2015 3 Year Trainer Applicant Id: 16525
License Number: 278808

Ruling # 2018-SRP-68

Action Type: Initial Ruling

Ruling:

Trainer Frankie H. Martinez having been duly notified telephonically and waived a formal hearing before the Board of Stewards on **May 18, 2018**, for failure to declare equipment (**Blinkers Off**) at time of entry for "**Malusita's Home**", entered in the **3rd race on May 14, 2018 at SunRay Park Racetrack**.

Licensee is found to be in violation of:

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

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

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

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

For this rule violation, the Board of Stewards assessed **Frankie H. Martinez** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **June 18, 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.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-69
Track SunRay Park
Ruling Date: 5/18/2018

Licensee: BERNAL, RICARDO ANDRES

License Type: 2016 3 Year Owner Applicant Id: 11650
License Number: 281903

Ruling # 2018-SRP-69

Action Type: Initial Ruling

Ruling:

Trainer **Ricardo Andres Bernal** appeared **Telephonically** before the Board of Stewards on **May 18, 2018, at SunRay Park Racetrack** concerning an **outstanding financial obligation (court judgment) to Alan Chastain DVM in the amount of \$951.00.**

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to Ricardo Andres Bernal be reinstated and in good standings having paid the fine **Ruling Zia Park #0240912 on May 18, 2018**

This ruling in written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-70
Track SunRay Park
Ruling Date: 5/19/2018

Licensee: ACOSTA, JR CARLOS H.

License Type: 2017 3 Year Trainer Applicant Id: 19413
License Number: 288503

Ruling # 2018-SRP-70

Action Type: Initial Ruling

Ruling:

Trainer **Carlos Acosta Jr.** having been duly notified telephonically and waved a formal hearing before the Board of Stewards on **May 19, 2018**, for failure to appear in the paddock with entry, **Vintage Corazon**, which resulted in a late scratch and mutuel refund in the **2nd race on May 18, 2018 at SunRay Park Race Track.**

Licensee is found in violation of.

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;

For this rule violation, the Board of Stewards assessed **Carlos Acosta Jr.** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **June 19, 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.

This ruling in written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(a) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
16.47.1.8(N) Last Known Address

By Order of The SunRay 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.

Victor Escobar

Ron Wall

Frank Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-71
Track SunRay Park
Ruling Date: 5/19/2018

Licensee: RAMIREZ, ESTEBAN

License Type: 2017 3 Year Trainer Applicant Id: 19424
License Number: 287884

Ruling # 2018-SRP-71

Action Type: Initial Ruling

Ruling:

Trainer **Esteban Ramirez** having been duly notified appeared telephonically and waived a formal hearing before the Board of Stewards on May 19, 2018 for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**Big and Talented**", entered in the **1st race on May 18, 2018** at SunRay Park Racetrack.

Licensee is found to be in violation of:

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

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

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

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

For this rule violation, the Board of Stewards assessed **Estaban Ramirez** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **June 19, 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.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay 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-SRP-72
Track SunRay Park
Ruling Date: 5/19/2018

Licensee: Whitehouse, Wilton Richard
License Type: 2018 1 Year Trainer Applicant Id: 159800
License Number: 289601

Ruling # 2018-SRP-72

Action Type: Initial Ruling

Ruling:

Trainer/Owner: Wilton R. Whitehouse, having been duly notified and having waived his right to a 10 day notice and formal hearing before the Board Of Stewards on May 19, 2018, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Phenylbutazone (class 4 penalty category C drug) found in test sample NM 30727 taken from the horse "He's Very Rare" following the 6th race, on May 6, 2018 at SunRay Park Racetrack.

The original lab report indicated a finding of Phenylbutazone at 2.83 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 Wilton R. Whitehouse

Wilton R. Whitehouse is the owner of record for horse "He's Very Rare".

Licensee is found to be in violation of:

15.2.6.9(C)(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".

For this **FIRST Class 4C medication violation** issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed **Wilton R. Whitehouse** a penalty as follows:

1. **A (\$250) Two Hundred Fifty dollar fine to be paid on or before June 19, 2018**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.
2. The horse "He's Very Rare", must pass a commission-approved examination before being eligible to run.

This ruling is written in accordance with:

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES (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.

15.2.6.11(A) NMAC: Trainer Responsibility

16.47.1.10(B)(1) NMAC: Absolute Insurer Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

15.2.1.9(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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-73
Track SunRay Park
Ruling Date: 5/19/2018

Licensee: MARTINEZ, EDGAR S

License Type: 2016 3 Year Jockey Applicant Id: 35567
License Number: 283678

Ruling # 2018-SRP-73

Action Type: Initial Ruling

Ruling:

Jockey **Edgar S. Martinez**, having been summoned and having appeared before the Board of Stewards on **May 19, 2019** for careless riding during the running of the **2nd race on May 18, 2018** at SunRay Park Racetrack while aboard "**Jessonedayoutoftime**" which resulted in his mount being disqualified from 1st place to 4th place (Drifted out midway down the lane into the lane of the **#3 Ima Handsome Man** which caused the #3 rider to check his mount and alter course.)

Licensee is found in violation of:

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

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

For this rule violation, the Board of Stewards assessed **Edgar S. Maartinez** a penalty in the amount of **two hundred dollars (\$ 200.00)**. The fine is to be paid on or before **June 19, 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.

This ruling is written in accordance with:

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

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

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-74
Track SunRay Park
Ruling Date: 5/19/2018

Licensee: APODACA-DIAZ, LUIS

License Type: 2017 3 Year Jockey Applicant Id: 33930
License Number: 287118

Ruling # 2018-SRP-74

Action Type: Initial Ruling

Ruling:

Jockey, Luis A. Apodaca having been summoned and having appeared before the Board of Stewards on **May 19, 2019** for careless riding during the running of the **3rd race on May 18, 2018** at SunRay Park Racetrack while aboard "**Chick N Rock**" which resulted in his mount being disqualified from 4th place to 8th place behind the horse interfered with.

Licensee is found in violation of:

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

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

For this violation, the Board of Stewards assessed **Luis A. Apodaca** a suspension of **7 calendar days (May 27, 2018, May 28, 2018, May 29, 2018, May 30, 2018, May 31, 2018, June 1, 2018 and June 2, 2018)**. **Luis A. Apodaca** is allowed to ride designated races.

This ruling is written in accordance with:

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

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

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b):

Which states 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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-75
Track SunRay Park
Ruling Date: 5/19/2018

Licensee: BALDERRAMA, DANIEL

License Type: 2017 3 Year Owner Applicant Id: 86314
License Number: 286625

Ruling # 2018-SRP-75

Action Type: Initial Ruling

Ruling:

Owner: Daniel Balderrama, having been duly notified, having 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 **May 12, 2018**, regarding a lab report from UC Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol", and the (Class 4 penalty C-Minor) presence of more than one NSAID, detected in horse "Trip to The Jungle" (Test Sample #: NM10125), who finished **FIRST place in the 4th race on December 21, 2014, at Sunland Park Racetrack.**

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **trainer Joe E. Ruiz and confirmed by LSU but with the Clenbuterol level below the threshold at the time. Therefore only the Stacking violation will apply.**

Licensee is found to be in violation of: 15.2.6.9(C)(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".

For Daniel Balderrama's FIRST Class 4-C Minor medication violation in a 365- day period issued in accordance with 15.2.6.9 (C)(3) Penalty Recommendations, the Board of Stewards assessed a penalty as follows

1. This is a WARNING.
2. No change in the official order of finish.

This ruling is written in accordance with:

15.2.5.13(E)(4)(d) : Stewards General Authority/ 15.2.3.8 B (3)(f) Stewards Disciplinary Action/ 15.2.3.8 B (1) (d) Stewards General Authority/ 16.47.1.8. T. KNOWLEDGE OF RULES/ 16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required/ 16.47.1.8(N) Last Known Address

15.2.1.9(B)(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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-76
Track SunRay Park
Ruling Date: 5/20/2018

Licensee: BEN, GILBERT

License Type: 2015 3 Year Trainer Applicant Id: 15724
License Number: 277390

Ruling # 2018-SRP-76

Action Type: Initial Ruling

Ruling:

Trainer: Gilbert Ben, having been duly notified and appeared to waive his right to a formal hearing before the Board of Stewards on May 20, 2018, regarding a lab report from UC Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse "**Signed Rule**" (Test Sample #: **NM 30715**), who finished 2nd in the 2nd race on May 06, 2018 at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **Gilbert Ben** and declined.

Trever Martin, owner of record for horse "**Signed Rule**", was duly notified and also waived his right to a formal hearing.

Licensee is found in violation of

15.2.6.9(C)(1) : prima facie evidence 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(C)(4) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

For Gilbert Ben's **FIRST Class 3B medication violation in a 365- day period** issued in accordance with **15.2.6.9 (B)(2)Penalty Recommendations**, the Board of Stewards assessed a penalty as follows:

1. **A 30 day suspension** of all NMRC licenses starting May 26, 2018, through June 25, 2018, inclusive.
2. **(\$750.00) Seven Hundred and Fifty dollar fine to paid on or before June 25, 2018**, in accordance with **15.2.3.8 (B)(3)(l)** . Failure to pay fine in prescribed time may result in an immediate suspension.
3. **Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7), 15.2.6.9(C)(5)(c), 15.2.6.9(C)(4), the horse "Signed Rule"** is placed on the Stewards list for a period of 60 days (beginning **May 16, 2018**). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

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

This ruling is written in accordance with

15.2.6.11(A)(B) NMAC: Trainer Responsibility

16.47.1.10(B)(1)(2) NMAC: Absolute Insurer Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

15.2.1.9(B)(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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-77
Track SunRay Park
Ruling Date: 5/20/2018

Licensee: MARTIN, TREVOR KEITH
License Type: 2017 3 Year Owner Applicant Id: 157853
License Number: 285732

Ruling # 2018-SRP-77

Action Type: Initial Ruling

Ruling:

Owner: Trevor Martin, having been duly notified and appeared to waive his right to a formal hearing before the Board of Stewards on May 20, 2018, regarding a lab report from UC Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse, "**Signed Rule**", (Test Sample #: **NM 30715**), who finished 2nd in the 2nd race on May 06, 2018 at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **Trevor Martin** and declined.

Gilbert Ben, trainer of record for horse "**Signed Rule**", was duly notified and also waived his right to a formal hearing.

Licensee is found in violation of

15.2.6.9(C)(1) : prima facie evidence 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(C)(4) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

For **Trevor Martin's FIRST Class 3B medication violation in a 365- day period** issued in accordance with **15.2.6.9 (B)(2)Penalty Recommendations**, the Board of Stewards assessed a penalty as follows:

1. Pursuant to rules **15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7), 15.2.6.9(C)(5)(c), 15.2.6.9(C)(4)**, the horse "**Signed Rule**" is placed on the Stewards list for a period of 60 days (beginning **May 16, 2018**). 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 "**Signed Rule**" is hereby disqualified from Second place and ordered unplaced from the 2nd race on May 06, 2018 at SunRay Park Racetrack for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Torito Power
 2. Bv Born to Be Blue
 3. El Cantador Gtz
 4. Sign Hawkingson
 5. Emoji
 6. Gypsy Davie
 7. A Speedster
- Unplaced "**Signed Rule**"

This ruling is written in accordance with

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

15.2.1.9(B)(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 SunRay Park Stewards