



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-39
Track Zia Park
Ruling Date: 10/4/2016

Licensee: BARTON, DALLAS JAY

License Type: 2016 3 Year Trainer Applicant Id: 18739
Date of Birth: 02/12/1970 License Number: 280496

Ruling # 2016-ZIA-39

Action Type: Initial Ruling

Ruling:

Trainer **Dallas Barton** having been duly notified and having waived his rights to a formal hearing before the **Board Of Stewards on October 4, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC)**, for a confirmed positive for the therapeutic drug, Dexamethasone (class 4 penalty category C drug) found in test sample **NM24503** taken from the winner "**Thunder Dome**" following **the ninth race, on September 5, 2016 at Ruidoso Downs in Ruidoso, NM.**

The original lab report indicated a finding of , **Dexamethasone at 112 pg/ml in the blood.** The allowable limit for Dexamethasone is 5 pg/ml in the blood (15.2.6). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Dallas Barton** .

Dallas Barton is found to be in violation of:

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. 15.2.6.9 C. PENALTY RECOMMENDATIONS: (3) Category C penalties will be assessed for violations due to the presence of a drug carrying a category C penalty and overages for NSAID's and furosemide (all concentrations are for measurements in serum or plasma). Recommended penalties for category C violations, overages for permitted NSAID's and furosemide are as follows: for Dexamethasone is 5 pg/ml in the blood **First offense (Trainer)** in a Class C category (365-day period) in any jurisdiction in the following levels, the penalty is a minimum fine of \$1,000. 15.2.6.9. MEDICATIONS AND PROHIBITED SUBSTANCES: 15.2.6.9. D. MEDICATION RESTRICTIONS: (1) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include: drugs or medications for which no acceptable levels have been established; therapeutic medications in excess of established acceptable levels; substances present in the horse in excess of levels at which such substances could occur naturally; substances foreign to a horse at levels that cause interference with testing procedures. (2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioner's international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit. (3) Except as otherwise provided by this part, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this part during the 24-hour period before post time for the race in which the horse is entered. 16.47.1.10. B. ABSOLUTE INSURER. (1) The trainer is the absolute insurer of the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horses. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties. (2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules. 15.2.3.8B (3)(f) ; 15.2.3.8B (1) (d) ; 6.47.1.8. T. 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."

For this first Class 4C medication violation in a 365- day period issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed Dallas Barton a penalty as follows:

1. A (\$1,000) one thousand dollar fine to paid on or before November 4, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Which states that "All fines imposed by the Stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered." Failure to pay fine in prescribed time may result in an immediate suspension.
2. The horse "**Thunder Dome**" must pass a commission approved veterinary examination before being eligible to enter.

Xenia Smith

Ruben River



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-40
Track Zia Park
Ruling Date: 10/8/2016

Licensee: REYES, CHRISTIAN SANTIAGO

License Type: 2016 3 Year Jockey Applicant Id: 2601
Date of Birth: 09/01/1989 License Number: 280726

Ruling # 2016-ZIA-40

Action Type: Initial Ruling

Ruling:

Jockey, Christian Santiago Reyes, having failed to appear before the Board of Stewards on October 8, 2016, for necessitating a late scratch for the horse "Flashy N Fabulous" from race 9 on September 20, 2016;

(Mr. Reyes, refused to ride "Flashy N Fabulous" and failed to notify Clerk of Scales and Trainer in a timely manner and no other jockey was available due to the late notification.

For this rule violation, the Board of Stewards assessed Christian Santiago Reyes a penalty in the amount of five hundred dollars (\$500.00). The fine is to be paid on or before November 8, 2016, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

15.2.5.13 9 (C)(1) NMAC

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."

15.2.5.13(C)(3) NMAC:

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

By Order of The Zia 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 #: 2016-ZIA-41
Track Zia Park
Ruling Date: 10/10/2016

Licensee: DE LA CRUZ, VILMA I

License Type: 2016 3 Year Trainer Applicant Id: 22006
Date of Birth: 12/07/1972 License Number: 282442

Ruling # 2016-ZIA-41

Action Type: Initial Ruling

Ruling:

Trainer, Vilma De La Cruz, having failed to declare a change of equipment (flipping halter) in program for entry, Bubbles Cartel, in the 3rd race on September 17, 2016 at Zia Park.

For this rule violation, the Board of Stewards assessed Vilma De La Cruz a penalty in the amount of one hundred dollars (\$100.00). The fine is to be paid on or before November 9, 2016, in accordance with 15.2.3.8(B)(3)(1) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

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

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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

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

By Order of The Zia 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 #: 2016-ZIA-42
Track Zia Park
Ruling Date: 10/8/2016

Licensee: DENNISON, DANIEL H
License Type: Trainer Applicant Id: 20492
Date of Birth: 01/24/1952 License Number: 81838

Ruling # 2016-ZIA-42

Action Type: Initial Ruling

Ruling:

Trainer **Dan Dennison** having been duly notified and having appeared telephonically before the Board of Stewards on **October 8, 2016**, for failure to have his entry, **Text Me At the Turn**, in the paddock 20 minutes before post for the **9th race on October 4, 2016 at Zia Park**. Mr. Dennison acknowledged his guilt of the violation charged and chose to waive the noticing period and the disciplinary hearing before the Board of Stewards.

For this rule violation, the Board of Stewards assessed, **Mr. Dennison**, a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **November 31, 2016** in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

16.47.1.10 (C) (22) 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;

16.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

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

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

By Order of The Zia 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 #: 2016-ZIA-43
Track Zia Park
Ruling Date: 10/10/2016

Licensee: GONZALEZ, CYNTHIA GUADALUPE
License Type: Trainer Applicant Id: 20355
Date of Birth: 08/24/1991 License Number: 81819

Ruling # 2016-ZIA-43

Action Type: Initial Ruling

Ruling:

Trainer, Cynthia Gonzalez, having failed to have registration papers on file for entry, This Snow Is Genuine, which resulted in a late scratch and mutuel refund of the race 6 on September 18, 2016 at Zia Park.

For this violation, the Board of Stewards assessed Ms. Gonzalez a fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before November 9, 2016 in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

Trainer is found to be in violation of:

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

16.47.1.10(C)(7) NMAC:

Which states in pertinent part that "A Trainer is responsible for registering with the racing secretary each horse in his/her charge within 24 hours of the horse's arrival on association grounds."

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."

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-44
Track Zia Park
Ruling Date: 10/11/2016

Licensee: BLEA, IMELDA TIFFANY

License Type: Applicant Id: 86523
Date of Birth: 08/15/1961 License Number:

Ruling # 2016-ZIA-44

Action Type: Initial Ruling

Ruling:

Imelda Tiffany Blea, having appeared before the Board of Stewards to surrender Veterinarian Assistant license (#282371), Stewards hereby rescind said license without prejudice, having reissued her owner's license (#281509).

By Order of The Zia Park Stewards

*Issued in error
Corrected in ARCT*

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 #: 2016-ZIA-45
Track Zia Park
Ruling Date: 10/11/2016

Licensee: BLEA, IMELDA TIFFANY

License Type: Applicant Id: 86523
Date of Birth: 08/15/1961 License Number:

Ruling # 2016-ZIA-45

Action Type: Initial Ruling

Ruling:

Imelda Tiffany Blea, having appeared before the Board of Stewards hereby rescind Veterinarian Assistant license (#281509), without prejudice, having been reissued her owners license

Issued in error corrected in ARCT
By Order of The Zia Park Stewards

Appeal Filing Deadline: 15.21.9(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 #: 2016-ZIA-46
Track Zia Park
Ruling Date: 10/11/2016

Licensee: BLEA, IMELDA TIFFANY

License Type: 2016 3 Year Owner Applicant Id: 86523
Date of Birth: 08/15/1961 License Number: 281509

Ruling # 2016-ZIA-46

Action Type: Modified Ruling

Ruling:

RE: 2016-ZIA-46 - Modified Ruling

Imelda Tiffany Blea, having appeared before the Board of Stewards to surrender Veterinarian Assistant license (#282371), Stewards hereby rescind said license without prejudice, having reissued her owner's license (#281509).

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

16.47.1.8 P, T (NMAC)

By Order of The Zia Park Stewards

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

Debra Smith *Constance*

Robert



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-47
Track Zia Park
Ruling Date: 10/15/2016

Licensee: CARRIZALES, EDELMIRO GARZA
License Type: 2014 3 Year Trainer Applicant Id: 9451
Date of Birth: 05/10/1965 License Number: 174411

Ruling # 2016-ZIA-47

Action Type: Initial Ruling

Ruling:

Trainer Edelmiro Garza Carrizales having been duly notified and having responded by telephone, waiving his rights to a formal hearing, before the Board of Stewards on October 08, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMRC). The report confirmed an overage for the therapeutic (class 4 penalty C) drug Methylprednisolone found in sample # NM21169 taken from the horse "Zoomin Effortlessly" following the 10th race on September 25th, 2016 at The New Mexico State Fair. The concentration of Methylprednisolone was (256 pg/ml) which exceeds the authorized medication limit of 100 pg/ml.

Spilt sample rights as provided in 15.2.6.10 (D) NMAC were afforded to and waived by Edelmiro Garza Carrizales as were his appeal rights.

For this first Class 4 Category C medication violation (in a 365 day period) the Board of Steward assess Edelmiro Garza Carrizales a penalty of

1. A fine in the amount of one thousand dollars (\$ 1,000.00). This fine is to paid on or before November 08, 2016, in accordance with 15.2.3.8(B)(3) NMAC. Failure to pay this fine within the time prescribed may result in an immediate suspension.

Edelmiro Garza Carrizales is found to be in violation of:

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.

15.2.6.9 C. PENALTY RECOMMENDATIONS:(3)Recommended penalties for category C violations, overages for permitted NSAID's and furosemide are as follows: LICENSED TRAINER:1st offense (365-day period) in any jurisdiction in the following levels, the penalty is a minimum fine of \$1,000:**Reference ARCI Controlled Therapeutic Medication Schedule** – Version 2.2, Revised April, 2015. The level for Methylprednisolone is 100 picograms per milliliter of plasma or serum.

15.2.6.9. D. MEDICATION RESTRICTIONS:(1) A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include: drugs or medications for which no acceptable levels have been established; therapeutic medications in excess of established acceptable levels; substances present in the horse in excess of levels at which such substances could occur naturally; substances foreign to a horse at levels that cause interference with testing procedures.(2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioner's international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit

15.2.6.9. MEDICATIONS AND PROHIBITED SUBSTANCES

16.47.1.10. B. ABSOLUTE INSURER.

16.47.1.8. T. KNOWLEDGE OF RULES

15.2.3.8 B (3) (f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority

Nia Smith

Anthony...

Robert...



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-47
Track Zia Park
Ruling Date: 10/15/2016

Licensee: CARRIZALES, EDELMIRO GARZA
License Type: 2014 3 Year Trainer Applicant Id: 9451
Date of Birth: 05/10/1965 License Number: 174411

By Order of The Zia 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 #: 2016-ZIA-48
Track Zia Park
Ruling Date: 10/16/2016

Licensee: MONTOYA-DUARTE, ABEL
License Type: 2014 3 Year Owner Applicant Id: 66119
Date of Birth: 11/29/1983 License Number: 102004

Ruling # 2016-ZIA-48

Action Type: Initial Ruling

Ruling:

Owner Abel Montoya-Duarte having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **October 4, 2016 at Zia Park** for defaulting on his financial obligation to trainer **Jose Luis Galvan** in the amount of **(\$7,320.00) seven thousand three hundred and twenty dollars** (writing checks with insufficient funds).

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to **Abel Montoya-Duarte** be suspended and that he be deemed ineligible for any future licensing in New Mexico until such time that full payment is made to **Jose Luis Galvan** in the amount of **(\$7,320.00) seven thousand three hundred and twenty dollars.**

Abel Montoya-Duarte is found to be in violation of.

16.47.1.8 I (1) NMAC - Financial Responsibility

All persons engaged in racing shall maintain financial responsibility in matters pertaining to racing and the Parental Responsibility Act.

16.47.1.8 L NMAC- Grounds for Refusal, Denial, Suspension, or Revocation of License.

(1) The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measure, if the applicant: **(i)** demonstrates a lack of financial responsibility by accumulating unpaid obligations, defaulting on obligations or issuing drafts or checks that are dishonored, or payment refused; for the purpose of this sub-section, non-compliance with the Parental Responsibility Act shall be considered grounds for refusal, denial, suspension, or revocation of a license; the application, or license as applicable, shall be reinstated if within thirty (30) days of the date of the notice, the applicant provides the commission with a certified statement from the department that they are in compliance with a judgment and order for support;

15.2.1.9(B)(4)(d) Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

1.8. T. KNOWLEDGE OF RULES:

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."

Thelma Smith

Sam Chastain

Robert Rivas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-49
Track Zia Park
Ruling Date: 10/16/2016

Licensee: GARCIA-MARQUEZ, ANSELMO
License Type: 2016 3 Year Trainer Applicant Id: 86392
Date of Birth: 06/27/1976 License Number: 281548

Ruling # 2016-ZIA-49

Action Type: Initial Ruling

Ruling:

Trainer ANSELMO GARCIA-MARQUEZ having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on October 10, 2016, for failing to have registration papers on file for entry Private Cruise, which resulted in a late scratch and mutuel refund of the 5th race on September 19, 2016 at Zia Park and for failing to have his entry Lil Boom Boom available for Lasix at the designated time, which resulted in a late scratch and mutuel refund from the 11th race on September 24, 2016 at Zia Park Racetrack.

For this violation, the Board of Stewards assessed ANSELMO GARCIA-MARQUEZ a fine in the amount of four hundred dollars (\$400.00). The fine is to be paid on or before November 16, 2016 in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

Trainer ANSELMO GARCIA-MARQUEZ 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.

16.47.1.10(C)(7) NMAC: Which states in pertinent part that "A Trainer is responsible for registering with the racing secretary each horse in his/her charge within 24 hours of the horse's arrival on association grounds."

15.2.6.9(E) (2) The use of furosemide (**Salix**) shall be permitted under the following circumstances on association grounds where a detention barn is utilized: furosemide (**Salix**) shall be administered no less than three hours prior to post time for a quarter horse race for which the horse is entered and no less than four hours prior to post time for a thoroughbred race for which a horse is entered. A horse qualified for a furosemide (**Salix**) administration must be brought to the detention barn one hour prior to the three-hour or four-hour administration requirement specified above. After treatment, the horse shall be required by the commission to remain in the detention barn in the care, custody and control of its trainer or the trainer's designated representative under association or commission security supervision until called to the saddling paddock.

15.2.1.9(B)(4)(d) Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 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 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



New Mexico Racing Commission
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Ruling #: 2016-ZIA-50
Track Zia Park
Ruling Date: 10/16/2016

Licensee: RAMOS, ADRIAN ALFREDO
License Type: Jockey Applicant Id: 20427
Date of Birth: 11/03/1991 License Number: 80741

Ruling # 2016-ZIA-50

Action Type: Initial Ruling

Ruling:

Jockey Adrian A Ramos, having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on October 11, 2016, regarding his excessive use of the whip during the running of the 2nd race on September 24, 2016 at Zia Park. For this rule violation, the Board of Stewards assessed Adrian A Ramos a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before November 16, 2016, in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

Adrian A Ramos is found to be in violation of:

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

15.2.1.9(B)(4)(d) Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 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 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."

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

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

Robert Smith

Julie Arnes

Robert Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-51
Track Zia Park
Ruling Date: 10/16/2016

Licensee: MUNOZ, EBERT

License Type: Applicant Id: 23853
Date of Birth: 02/07/1982 License Number:

Ruling # 2016-ZIA-51

Action Type: Initial Ruling

Ruling:

Trainer Ebert Munoz having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **October 11, 2016**, for failure to declare equipment **(Flipping Halter Off)** at time of entry for **Eyesamiracle**, entered in **the 3rd race**, on **September 18, 2016 at Zia Park**

For this rule violation, the Board of Stewards assessed **Ebert Munoz** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **November 16, 2016** in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

Licensee is found to be in violation of:

15.2.1.9(B)(4)(d) Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards

Xiree Smith

Jill Carter

Senke Sun



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-52
Track Zia Park
Ruling Date: 10/16/2016

Licensee: MORENO, TOMAS DOMINGUEZ
License Type: Applicant Id: 23314
Date of Birth: 03/07/1942 License Number:

Ruling # 2016-ZIA-52

Action Type: Initial Ruling

Ruling:

Trainer Tomas D. Moreno having been duly notified and having responded telephonically before the Board of Stewards on **October 15, 2016**, for failure to declare equipment **(Flipping Halter Off)** at time of entry for **Tylerate**, entered in **the 2nd race**, on **September 18, 2016 at Zia Park**

For this rule violation, the Board of Stewards assessed **Tomas D. Moreno** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **November 16, 2016** in accordance with 15.2.3.8(B)(3)(l) NMAC.

Failure to pay the fine within the time prescribed may result in immediate suspension.
Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards

Violet Smith

[Signature]

Ranber Ruiz



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-53
Track Zia Park
Ruling Date: 10/16/2016

Licensee: DOMINGUEZ, HENRY

License Type: Trainer

Applicant Id: 11241

Date of Birth: 04/23/1958

License Number: 81905

Ruling # 2016-ZIA-53

Action Type: Initial Ruling

Ruling:

Trainer **Henry Dominguez** having been duly notified and appeared before the Board of Stewards on **October 15, 2016**, for entering horse "**BEAUTYS RAP**" in the wrong race which resulted in a scratch from the **8th race September 27, 2016 at Zia Park.**

For this violation, the Board of Stewards assessed **Henry Dominguez** a fine in the amount **of two hundred dollars (\$200.00)**. The fine is to be paid on or before **November 16, 2016** in accordance with 15.2.3.8 (B)(3) (8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

Trainer **Henry Dominguez** is found to be in violation of.

15.2.5.9(B)(2)(4) NMAC: DECLARATIONS AND SCRATCHES:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The Zia 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 #: 2016-ZIA-54
Track Zia Park
Ruling Date: 10/16/2016

Licensee: AKER, TRACIE COLLEEN

License Type: Applicant Id: 30803
Date of Birth: 03/10/1982 License Number:

Ruling # 2016-ZIA-54

Action Type: Initial Ruling

Ruling:

TRACIE COLLEEN AKER is hereby restored to good standing after fulfilling her financial obligation to Equine Sports Medicine on October 13, 2016, in the mount of \$8,148.19 dollars (Eight thousand, one hundred forty eight dollars, and nineteen cents).

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 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 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 Zia 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
4800 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-55
Track: Zia Park
Ruling Date: 10/16/2016

Licensee: VALENZUELA, PATRICK ANGEL
License Type: 2016 3 Year Jockey Applicant Id: 16634
Date of Birth: 10/17/1962 License Number: 283201

Ruling # 2016-ZIA-55

Action Type: Initial Ruling

Ruling:

Jockey PATRICK VALENZUELA, having been summoned and appeared before the Board of Stewards on October 15, 2016, for failure to make sufficient effort to control his mount "King Coral" in the 6th Race on October 11, 2016, at Zia Park, is found to be in violation of Commission rules. (Drifting in under right handed whip nearing the 1/8 pole).

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

The fine is to be paid on or before November 16, 2016 in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is in accordance with:

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

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

15.2.5.13(E)(3)(a) NMAC: Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

15.2.3.8 B (3) (i) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand, assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion, place a licensee on probation; suspend a license or racing privileges, revoke a license, exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-56
Track Zia Park
Ruling Date: 10/16/2016

Licensee: PARGA-LEOS, JAIME

License Type: Jockey Applicant Id: 30593
Date of Birth: 01/01/1981 License Number: 80735

Ruling # 2016-ZIA-56

Action Type: Modified Ruling

Ruling:

RE: 2016-ZIA-56 - Modified Ruling

Jockey, **Jaime Parga Leos**, having been summoned and having appeared before the Board of Stewards on October 16 2016, for careless riding during the running of the 10th race on October 15, 2016, at Zia Park, while aboard #6 "Balboa Reserve". (Bore in under right hand whip shortly after the start.)

For this violation, the Board of Stewards assessed **Jaime Parga Leos** a suspension of 3 race days (October 24, 2016, October 25, 2016, and October 29, 2016).

Jaime Parga Leos is allowed to ride designated races.

This ruling is in accordance with:

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

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

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

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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."

David Smith

Robert Pava



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-57
Track Zia Park
Ruling Date: 10/18/2016

Licensee: PARGA-LEOS, JAIME

License Type: Jockey Applicant Id: 30593
Date of Birth: 01/01/1981 License Number: 80735

Ruling # 2016-ZIA-57

Action Type: Modified Ruling

Ruling:

RE: 2016-ZIA-57 - Modified Ruling

Jockey, **Jaime Parga Leos**, having failed to appear before the Board of Stewards on October 18, 2016, for failure to honor his riding engagement in the **2nd race on September 4, 2016 at Ruidoso Downs**, which resulted in a late program scratch of horse "**JMF Shazoomer**".

For this rule violation, the Board of Stewards assessed a penalty in the amount of **two hundred dollars (\$200.00)**. **The fine is to be paid on or before November 17, 2016**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

6.47.1.8 T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

15.2.5.13(C)(3) NMAC:

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

15.2.5.13(C)(1) NMAC:

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

By Order of The Zia 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 #: 2016-ZIA-58
Track Zia Park
Ruling Date: 10/18/2016

Licensee: STEPHENS, RONALD L

License Type: 2014 3 Year Trainer Applicant Id: 21093
Date of Birth: 10/09/1943 License Number: 206312

Ruling # 2016-ZIA-58

Action Type: Initial Ruling

Ruling:

Trainer, **Ronald Stephens**, having been duly notified and having **responded telephonically with counsel Blair Dunn** before the Board of Stewards **on October 17, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC)**, for a confirmed positive during out of competition testing taken at Ruidoso Downs on **July 19, 2016**, for the Class 3B drug "clenbuterol" detected in horse **"Big Spurs"**, sample **#NC32617**. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by **Ronald Stephens**.

Hugo Astorga and Ivan Astorga are the owners of record for horse **"Big Spurs"** which was the subject of the clenbuterol positive for out of competition testing. **Hugo Astorga and Ivan Astorga** were duly notified and failed to appear for this hearing.

For this **third out of competition testing Class 3B medication violation** in a 365- day period issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed **Ronald Stephens** a penalty as follows.

1. A 120 day suspension of all NMRC licenses to run consecutively from ruling 2016-RUI-184, February 7, 2017, through June 7, 2017, inclusive.
2. A (\$2,500) two thousand five hundred dollar fine to paid on or before November 18, 2016, 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.
3. Pursuant to rules 15.2.6.9(D)(5)(c), 15.2.6.9 (D)(6), and 15.2.6.9(D)(7), the horse **"Big Spurs"** was placed on the Stewards list for a period of 60 days (**July 28, 2016 through October 8, 2016 inclusive**), during this period the papers were removed from the racing office and horse was denied entry until he had passed a commission approved veterinary examination (which was negative) on October 8, 2016, before being eligible to enter.

During said time of applicable suspension, Ronald Stephens is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a-b) NMAC, and 15.2.3.8 (B)(3)(f) NMAC. Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of **Ronald Stephens** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

Ronald Stephens is found to be in violation of:

15.2.6.9. D. MEDICATION RESTRICTIONS: (2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioners international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit. (4) There is no permissible concentration of clenbuterol that is allowed to appear in any official sample. (5) Any horse that is the subject of a positive test report from the official laboratory for a drug in one of the following categories shall be placed immediately on the steward's list: (c) clenbuterol or other beta-agonist drugs with significant anabolic effects that are not currently penalty class A drugs;

15.2.6.9. K. OUT OF COMPETITION TESTING:(1) A horse may be subject to out of competition testing without advance notice if the horse is: (a) on the grounds of a racetrack or training center under the jurisdiction of the commission; (b) under the care or control of a trainer or owner licensed by the commission; or

(c) any horse whose papers are filed in the racing office; or (d) has been nominated to a stakes race. (2) This rule applies to prohibited substances, practices and procedures as follows: (d) clenbuterol present in a sample in a horse not previously placed on the veterinarian's list pursuant to Paragraph (9) of Subsection D of 15.2.6.9 NMAC; and

(3) The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-58
Track Zia Park
Ruling Date: 10/18/2016

Licensee: STEPHENS, RONALD L

License Type: 2014 3 Year Trainer Applicant Id: 21093
Date of Birth: 10/09/1943 License Number: 206312

association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC. Positive tests for substances identified under Paragraph (5) of Subsection D of 15.2.6.9 NMAC will be placed on the steward's list as per the conditions set forth in that subsection. (4) Horses to be tested may be selected at random, with probable cause or as determined by the commission or an agent of the commission. (6) Split samples shall be collected in accordance with Subsection B of 15.2.6.10 NMAC and shall be secured and made available for further testing in accordance with Subsection D of 15.2.6.10 NMAC.

15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **First Lifetime offense (365-day period) in any jurisdiction:** A minimum 15-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 60-day suspension. A minimum fine of \$500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a \$1,000 fine.

- **Second Lifetime offense (365-day period) in any jurisdiction:** A minimum 30-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 180-day suspension. A minimum \$1,000 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum fine of \$2,500.

- **Third Lifetime offense** A 60-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum of a one year suspension. A minimum fine of \$2,500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum \$5,000 fine or five percent of purse (greater of the two) and may be referred to the commission for any further action deemed necessary by the commission.

(4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. Penalties will run consecutively for a trainer or owner.

16.47.1.10 B. ABSOLUTE INSURER: (1) The trainer is the absolute insurer of the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horses. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties. (2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.

6.47.1.8. T. KNOWLEDGE OF RULES

15.2.3.8 B (1)(3)(f) Stewards General Authority:

By Order of The Zia 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 #: 2016-ZIA-59
Track Zia Park
Ruling Date: 10/18/2016

Licensee: STEPHENS, RONALD L

License Type: 2014 3 Year Trainer Applicant Id: 21093
Date of Birth: 10/09/1943 License Number: 206312

Ruling # 2016-ZIA-59

Action Type: Initial Ruling

Ruling:

Trainer, **Ronald Stephens**, having been duly notified and having **responded telephonically with council Blair Dunn** before the Board of Stewards **on October 17, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC)**, for a confirmed positive during out of competition testing taken at Ruidoso Downs on **July 19, 2016**, for the Class 3B drug "clenbuterol" detected in horse **"Jess Cruzin On By"**, sample **#NC32618**. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by **Ronald Stephens**.

Yaneth Cabrera is the owner of record for horse **"Jess Cruzin On By"** which was the subject of the clenbuterol positive for out of competition testing. **Yaneth Cabrera** was duly notified and failed to appear for this hearing.

For this fourth out of competition testing Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed Ronald Stephens a penalty as follows.

1. A 180 day suspension of all NMRC licenses to run consecutively from ruling 2016-ZIA-58, June 8, 2017, through December 5, 2017, inclusive.
2. A (\$3,500) three thousand five hundred dollar fine to paid on or before November 18, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.
3. Pursuant to rules 15.2.6.9(D)(5)(c), 15.2.6.9 (D)(6), and 15.2.6.9(D)(7), the horse **"Jess Cruzin On By"** was placed on the Stewards list for a period of 60 days **(July 28, 2016 through October 8, 2016 inclusive)**, during this period the papers were removed from the racing office and horse was denied entry until he had passed a commission approved veterinary examination (which was negative) on October 8, 2016, before being eligible to enter.

During said time of applicable suspension, Ronald Stephens is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a-b) NMAC, and 15.2.3.8 (B)(3)(f) NMAC. Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Ronald Stephens are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

Ronald Stephens is found to be in violation of:

15.2.6.9. D. MEDICATION RESTRICTIONS: (2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioners international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit. (4) There is no permissible concentration of clenbuterol that is allowed to appear in any official sample. (5) Any horse that is the subject of a positive test report from the official laboratory for a drug in one of the following categories shall be placed immediately on the steward's list: (c) clenbuterol or other beta-agonist drugs with significant anabolic effects that are not currently penalty class A drugs;

15.2.6.9. K. OUT OF COMPETITION TESTING:(1) A horse may be subject to out of competition testing without advance notice if the horse is: (a) on the grounds of a racetrack or training center under the jurisdiction of the commission; (b) under the care or control of a trainer or owner licensed by the commission; or

(c) any horse whose papers are filed in the racing office; or (d) has been nominated to a stakes race. (2) This rule applies to prohibited substances, practices and procedures as follows: (d) clenbuterol present in a sample in a horse not previously placed on the veterinarian's list pursuant to Paragraph (9) of Subsection D of 15.2.6.9 NMAC; and

(3) The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-59
Track Zia Park
Ruling Date: 10/18/2016

Licensee: STEPHENS, RONALD L
License Type: 2014 3 Year Trainer Applicant Id: 21093
Date of Birth: 10/09/1943 License Number: 206312

association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC. Positive tests for substances identified under Paragraph (5) of Subsection D of 15.2.6.9 NMAC will be placed on the steward's list as per the conditions set forth in that subsection. (4) Horses to be tested may be selected at random, with probable cause or as determined by the commission or an agent of the commission. (6) Split samples shall be collected in accordance with Subsection B of 15.2.6.10 NMAC and shall be secured and made available for further testing in accordance with Subsection D of 15.2.6.10 NMAC.

15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **First Lifetime offense (365-day period) in any jurisdiction:** A minimum 15-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 60-day suspension. A minimum fine of \$500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a \$1,000 fine.
- **Second Lifetime offense (365-day period) in any jurisdiction:** A minimum 30-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 180-day suspension. A minimum \$1,000 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum fine of \$2,500.
- **Third Lifetime offense** A 60-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum of a one year suspension. A minimum fine of \$2,500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum \$5,000 fine or five percent of purse (greater of the two) and may be referred to the commission for any further action deemed necessary by the commission.

(4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. Penalties will run consecutively for a trainer or owner.

16.47.1.10 B. ABSOLUTE INSURER: (1) The trainer is the absolute insurer of the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horses. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties. (2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.

6.47.1.8. T. KNOWLEDGE OF RULES

15.2.3.8 B (1)(3)(f) Stewards General Authority:

By Order of The Zia 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 #: 2016-ZIA-60
Track Zia Park
Ruling Date: 10/18/2016

Licensee: STEPHENS, RONALD L

License Type: 2014 3 Year Trainer Applicant Id: 21093
Date of Birth: 10/09/1943 License Number: 206312

Ruling # 2016-ZIA-60

Action Type: Initial Ruling

Ruling:

Trainer, Ronald Stephens, having been duly notified and having responded telephonically with counsel Blair Dunn before the Board of Stewards on October 17, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive during out of competition testing taken at Ruidoso Downs on July 19, 2016, for the Class 3B drug "clenbuterol" detected in horse "Super Star Smith", sample #NC32619. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by Ronald Stephens.

Yaneth Cabrera is the owner of record for horse "Super Star Smith" which was the subject of the clenbuterol positive for out of competition testing. Yaneth Cabrera was duly notified and failed to appear for this hearing.

For this fifth out of competition testing Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed Ronald Stephens a penalty as follows.

1. A 365 day suspension of all NMRC licenses to run consecutively from ruling 2016-ZIA-59, December 6, 2017, through December 6, 2018, inclusive.
2. A (\$5,000) five thousand dollar fine to paid on or before November 18, 2016, 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.
3. Pursuant to rules 15.2.6.9(D)(5)(c), 15.2.6.9 (D)(6), and 15.2.6.9(D)(7), the horse "Super Star Smith" was placed on the Stewards list for a period of 60 days (July 28, 2016 through October 8, 2016 inclusive), during this period the papers were removed from the racing office and horse was denied entry until he had passed a commission approved veterinary examination (which was negative) on October 8, 2016, before being eligible to enter.

During said time of applicable suspension, Ronald Stephens is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a-b) NMAC, and 15.2.3.8 (B)(3)(f) NMAC. Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Ronald Stephens are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

Ronald Stephens is found to be in violation of:

15.2.6.9. D. MEDICATION RESTRICTIONS: (2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioners international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit. (4) There is no permissible concentration of clenbuterol that is allowed to appear in any official sample. (5) Any horse that is the subject of a positive test report from the official laboratory for a drug in one of the following categories shall be placed immediately on the steward's list: (c) clenbuterol or other beta-agonist drugs with significant anabolic effects that are not currently penalty class A drugs;

15.2.6.9. K. OUT OF COMPETITION TESTING:(1) A horse may be subject to out of competition testing without advance notice if the horse is: (a) on the grounds of a racetrack or training center under the jurisdiction of the commission; (b) under the care or control of a trainer or owner licensed by the commission; or

(c) any horse whose papers are filed in the racing office; or (d) has been nominated to a stakes race. (2) This rule applies to prohibited substances, practices and procedures as follows: (d) clenbuterol present in a sample in a horse not previously placed on the veterinarian's list pursuant to Paragraph (9) of Subsection D of 15.2.6.9 NMAC; and

(3) The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-60
Track Zia Park
Ruling Date: 10/18/2016

Licensee: STEPHENS, RONALD L

License Type: 2014 3 Year Trainer Applicant Id: 21093
Date of Birth: 10/09/1943 License Number: 206312

association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC. Positive tests for substances identified under Paragraph (5) of Subsection D of 15.2.6.9 NMAC will be placed on the steward's list as per the conditions set forth in that subsection. (4) Horses to be tested may be selected at random, with probable cause or as determined by the commission or an agent of the commission. (6) Split samples shall be collected in accordance with Subsection B of 15.2.6.10 NMAC and shall be secured and made available for further testing in accordance with Subsection D of 15.2.6.10 NMAC.

15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **First Lifetime offense (365-day period) in any jurisdiction:** A minimum 15-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 60-day suspension. A minimum fine of \$500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a \$1,000 fine.
- **Second Lifetime offense (365-day period) in any jurisdiction:** A minimum 30-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 180-day suspension. A minimum \$1,000 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum fine of \$2,500.
- **Third Lifetime offense** A 60-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum of a one year suspension. A minimum fine of \$2,500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum \$5,000 fine or five percent of purse (greater of the two) and may be referred to the commission for any further action deemed necessary by the commission.

(4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. Penalties will run consecutively for a trainer or owner.

16.47.1.10 B. ABSOLUTE INSURER: (1) The trainer is the absolute insurer of the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horses. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties. (2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.

6.47.1.8. T. KNOWLEDGE OF RULES

15.2.3.8 B (1)(3)(f) Stewards General Authority:

By Order of The Zia 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 #: 2016-ZIA-61
Track Zia Park
Ruling Date: 10/18/2016

Licensee: STEPHENS, RONALD L

License Type: 2014 3 Year Trainer Applicant Id: 21093
Date of Birth: 10/09/1943 License Number: 206312

Ruling # 2016-ZIA-61

Action Type: Initial Ruling

Ruling:

Trainer, **Ronald Stephens**, having been duly notified and having **responded telephonically with counsel Blair Dunn** before the Board of Stewards **on October 17, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC)**, for a confirmed positive during out of competition testing taken at Ruidoso Downs on **July 19, 2016**, for the Class 3B drug "clenbuterol" detected in horse **"A Blazin Flash"**, sample **#NC32620**. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by **Ronald Stephens**.

Yaneth Cabrera is the owner of record for horse **"A Blazin Flash"** which was the subject of the clenbuterol positive for out of competition testing. **Yaneth Cabrera** was duly notified and failed to appear for this hearing.

For this sixth out of competition testing Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed **Ronald Stephens** a penalty as follows.

1. A 365 day suspension of all NMRC licenses to run consecutively from ruling 2016-ZIA-60, December 7, 2018, through December 7, 2019, inclusive.
2. A (\$5,000) five thousand dollar fine to paid on or before November 18, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.
3. Pursuant to rules 15.2.6.9(D)(5)(c), 15.2.6.9 (D)(6), and 15.2.6.9(D)(7), the horse **"A Blazin Flash"** was placed on the Stewards list for a period of 60 days (**July 28, 2016 through October 8, 2016 inclusive**), during this period the papers were removed from the racing office and horse was denied entry until he had passed a commission approved veterinary examination (which was negative) on October 8, 2016, before being eligible to enter.

During said time of applicable suspension, **Ronald Stephens** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a-b) NMAC, and 15.2.3.8 (B)(3)(f) NMAC. Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of **Ronald Stephens** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

Ronald Stephens is found to be in violation of:

15.2.6.9. D. MEDICATION RESTRICTIONS: (2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioners international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit. (4) There is no permissible concentration of clenbuterol that is allowed to appear in any official sample. (5) Any horse that is the subject of a positive test report from the official laboratory for a drug in one of the following categories shall be placed immediately on the steward's list: (c) clenbuterol or other beta-agonist drugs with significant anabolic effects that are not currently penalty class A drugs;

15.2.6.9. K. OUT OF COMPETITION TESTING:(1) A horse may be subject to out of competition testing without advance notice if the horse is: (a) on the grounds of a racetrack or training center under the jurisdiction of the commission; (b) under the care or control of a trainer or owner licensed by the commission; or

(c) any horse whose papers are filed in the racing office; or (d) has been nominated to a stakes race. (2) This rule applies to prohibited substances, practices and procedures as follows: (d) clenbuterol present in a sample in a horse not previously placed on the veterinarian's list pursuant to Paragraph



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-61
Track Zia Park
Ruling Date: 10/18/2016

Licensee: STEPHENS, RONALD L

License Type: 2014 3 Year Trainer Applicant Id: 21093
Date of Birth: 10/09/1943 License Number: 206312

(9) of Subsection D of 15.2.6.9 NMAC; and

(3) The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC. Positive tests for substances identified under Paragraph (5) of Subsection D of 15.2.6.9 NMAC will be placed on the steward's list as per the conditions set forth in that subsection. (4) Horses to be tested may be selected at random, with probable cause or as determined by the commission or an agent of the commission. (6) Split samples shall be collected in accordance with Subsection B of 15.2.6.10 NMAC and shall be secured and made available for further testing in accordance with Subsection D of 15.2.6.10 NMAC.

15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **First Lifetime offense (365-day period) in any jurisdiction:** A minimum 15-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 60-day suspension. A minimum fine of \$500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a \$1,000 fine.
- **Second Lifetime offense (365-day period) in any jurisdiction:** A minimum 30-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 180-day suspension. A minimum \$1,000 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum fine of \$2,500.
- **Third Lifetime offense** A 60-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum of a one year suspension. A minimum fine of \$2,500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum \$5,000 fine or five percent of purse (greater of the two) and may be referred to the commission for any further action deemed necessary by the commission.

(4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. Penalties will run consecutively for a trainer or owner.

16.47.1.10 B. ABSOLUTE INSURER: (1) The trainer is the absolute insurer of the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horses. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties. (2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.

6.47.1.8. T. KNOWLEDGE OF RULES

15.2.3.8 B (1)(3)(f) Stewards General Authority:

By Order of The Zia 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 #: 2016-ZIA-62
Track Zia Park
Ruling Date: 10/23/2016

Licensee: VALENZUELA, JOHNNY RAUL

License Type: Applicant Id: 16628

Date of Birth: 01/12/1961 License Number:

Ruling # 2016-ZIA-62

Action Type: Initial Ruling

Ruling:

By Order of The Zia Park Stewards

ERROR

— Cynthia



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-63
Track Zia Park
Ruling Date: 10/23/2016

Licensee: VALENZUELA, JOHNNY RAUL
License Type: 2016 3 Year Jockey Applicant Id: 16628
Date of Birth: 01/12/1961 License Number: 280990

Ruling # 2016-ZIA-63

Action Type: Initial Ruling

Ruling:

Jockey, **Johnny Raul Valenzuela**, having been summoned and having appeared before the Board of Stewards on **October 23, 2016**, for careless riding during the running of the **tenth race on October 22, 2016, at Zia Park**, while **aboard #8 "BB Lucky Day"**. (Bore in sharply at the break with no effort to correct.)

For this violation, the Board of Stewards assessed **Johnny Raul Valenzuela** a suspension of 3 race days (October 31, 2016, November 1, 2016, and November 5, 2016). **Johnny Raul Valenzuela** is allowed to ride designated races.

THIS RULING IS IN ACCORDANCE WITH:

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

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

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

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-64
Track Zia Park
Ruling Date: 10/24/2016

Licensee: CALDERON, RUBEN RAUL
License Type: 2015 3 Year Jockey Applicant Id: 33278
Date of Birth: 07/20/1985 License Number: 277198

Ruling # 2016-ZIA-64

Action Type: Initial Ruling

Ruling:

Jockey, **Ruben Calderon**, having been summoned and having been represented by jockey **Alejandro Medellin** before the Board of Stewards **on October 17, 2016**, for careless riding and failing to make sufficient effort to maintain his lane during the running of the **3rd race on October 16, 2016, at Zia Park**, while **aboard #3 "Apollos First Down" which resulted in the disqualification of his mount from 4th place to 5th place**. (Bore out at the top of the stretch causing the 6 to alter course and then bore in late stretch intimidating the 6.)

For this violation, the Board of Stewards assessed **Ruben Calderon** a suspension of 3 race days (October 25, 2016, October 29, 2016, and October 30, 2016).

Ruben Calderon is allowed to ride designated races.

This ruling is in accordance with:

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

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

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

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-65
Track Zia Park
Ruling Date: 10/24/2016

Licensee: SIGALA, ALFREDO S.

License Type: Applicant Id: 158216
Date of Birth: 01/12/1985 License Number:

Ruling # 2016-ZIA-65

Action Type: Initial Ruling

Ruling:

Jockey Alfredo Sigala, having been summoned and appeared before the Board of Stewards on **October 16, 2016**, for failure to make sufficient effort to control his mount "Angels Come First" in the **10th Race on October 15, 2016, at Zia Park**, is found to be in violation of Commission rules. (Ran erratically down the stretch with rider failing to correct his mount.)

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

The fine is to be paid on or before **November 24, 2016** in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is in accordance with:

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

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

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

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-66
Track Zia Park
Ruling Date: 10/24/2016

Licensee: SANCHEZ, RODOLFO
License Type: 2016 3 Year Trainer Applicant Id: 7257
Date of Birth: 09/30/1960 License Number: 281238

Ruling # 2016-ZIA-66
Action Type: Initial Ruling
Ruling:

Trainer Rodolfo Sanchez having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **October 22, 2016**, for failure to declare equipment **(Flipping Halter ON)** at time of entry for **Top of His Game B**, entered in **the second race**, on **September 25, 2016, at Zia Park**.

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

Failure to pay the fine within the time prescribed may result in immediate suspension.
Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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)(4)(d) Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-67
Track Zia Park
Ruling Date: 10/24/2016

Licensee: RAMOS, JOSE R

License Type: 2015 3 Year Trainer

Applicant Id: 31929

Date of Birth: 03/19/1967

License Number: 279683

Ruling # 2016-ZIA-67

Action Type: Initial Ruling

Ruling:

Trainer Jose R Ramos having been duly notified and appeared before the Board of Stewards on **October 23, 2016**, for failure to declare equipment **(Flipping Halter Off)** at time of entry for **GETYOURSHINEONBABY**, entered in **the 6th race**, on **September 25, 2016 at Zia Park**

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

Failure to pay the fine within the time prescribed may result in immediate suspension.
Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards

Tillet Smith

Jill Collins

Paula Ramos



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-68
Track Zia Park
Ruling Date: 10/24/2016

Licensee: TORRES, JUAN D

License Type: Trainer Applicant Id: 29080
Date of Birth: 06/24/1976 License Number: 81869

Ruling # 2016-ZIA-68

Action Type: Initial Ruling

Ruling:

Trainer **Juan D Torres** having waived his rights to a 10 day notice and a formal hearing on **October 8, 2016**, for failure to have his entry, **Eagle On The Fly** in the paddock at the designated time for the **11th race on October 2, 2016 at Zia Park.**

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

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

Licensee is found to be in violation of:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The Zia 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 #: 2016-ZIA-69
Track Zia Park
Ruling Date: 10/24/2016

Licensee: ORTIZ, JOSE ENRIQUE

License Type: 2016 3 Year Jockey Applicant Id: 35364
Date of Birth: 03/02/1996 License Number: 281100

Ruling # 2016-ZIA-69

Action Type: Initial Ruling

Ruling:

Jockey Jose Enrique Ortiz, having failed to appear or send a jockey guild's representative when summoned by the Board of Stewards on **October 23, 2016, and October 24, 2016**, for race/film review regarding the **6th race on October 22, 2016, at Zia Park**, is found in violation of Commission rules.

For this rule violation, the Board of Stewards assessed **Jose Enrique Ortiz** a penalty of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **November 24, 2016**, in accordance with 15.2.3.8(B)(3)(I) NMAC.

Failure to pay the fine within the time prescribed may result in immediate suspension.
Licensee is found to be in violation of:

15.2.1.9(B)(4)(d)NMAC: Which states in pertinent part that "Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the board of stewards.

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-70
Track Zia Park
Ruling Date: 10/24/2016

Licensee: ORTIZ, JOSE ENRIQUE

License Type: 2016 3 Year Jockey Applicant Id: 35364
Date of Birth: 03/02/1996 License Number: 281100

Ruling # 2016-ZIA-70

Action Type: Initial Ruling

Ruling:

Jockey, **Jose Enrique Ortiz**, having been summoned and having failed to appear before the Board of Stewards **on October 24, 2016**, for careless riding in the running of the **6th race on October 22, 2016, at Zia Park**, while **aboard #10 "Jet Version" which resulted in the disqualification of his mount from 3rd place to 7th place**. (Bore in late under right handed whip and caused interference with 9.)

For this violation, the Board of Stewards assessed **Jose Enrique Ortiz** a suspension of 3 race days (November 1, 2016, November 5, 2016, and November 6, 2016).

Jose Enrique Ortiz is allowed to ride designated races.

This ruling is in accordance with:

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

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

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

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) 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.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards