



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-1**
Track **Downs at Albuquerque**
Ruling Date: **7/22/2020**

Licensee: **OCHOA, MARIA DOLORES**
License Type: **2020 3 Year Owner** Applicant Id: **159471**
Date of Birth: **01/21/1971** License Number: **297267**

Ruling # **2020-DAA-1**

Action Type: **Initial Ruling**

Ruling:

Owner Maria D. Ochoa was duly notified and was represented by her attorney Daniel Marquez before the Board of Stewards on July 21, 2020. The hearing was held on a Zoom tele-video connection in regard to the confirmed positive of the Drug Class 3 Penalty Class A (Quarter Horses), Controlled Substance, Clenbuterol, found in the urine, test sample E358752 taken from the horse "Prince of Bo Dash", who finished in 1st place in the 3rd race on December 26, 2019, at Sunland Park Racetrack.

Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to the trainer, and declined.

Gerado Ochoa-Pena is the trainer of record for horse "**Prince of Bo Dash**"

Aggravating Circumstances: Clenbuterol is a Controlled Substance in New Mexico.

For Maria D. Ochoa's first lifetime 3A medication violation issued in accordance with 15.2.6.9 (B)(1) Penalty Recommendations, the Board of Stewards hereby assess a penalty as follows.

1. Pursuant to rule 15.2.6.9 (B)(1), the horse "Prince of Bo Dash" is on the veterinarian's list for 180 days (July 21, 2020 to January 17, 2021) and must pass a commission-approved examination before becoming eligible to be entered.
2. The horse "Prince of Bo Dash", is hereby disqualified from 1st place and ordered unplaced from the 3rd race on December 26, 2019, at Sunland Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

- 1) Natalies Wood
- 2) Jj Spanish Foose
- 3) Redd Metal
- 4) El Carranzista
- 5) Rfarmer Girl
- 6) Hidden Courage
- 7) Fly Away With Me
- 8) Santanassilvercharm

Unplaced "Prince of Bo Dash"

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

15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.5.13(E)(4)(d) Running of the Race/ 15.2.6.9 MEDICATIONS AND PROHIBITED SUBSTANCES/ 15.2.6.9(L)(3)(o) MEDICATIONS AND PROHIBITED SUBSTANCES Environmental contaminants and substances of human use/15.2.5.14 D. 7 Protests, Objection and Inquiries/ 15.2.6.9(C)(1)(8)(c) Medication Restrictions/ 15.2.6.11 Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses/ 16.47.1.10(B)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendation/ 15.2.5.13 E (4) (d) Disqualification and purse distribution.

15.2.1.9(B)(9)(b):Appeal Procedures 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 a money order, cashier's check or a corporate check. **Last date of appeal: August 1, 2020**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-2**
Track: Downs at Albuquerque
Ruling Date: 7/24/2020

Licensee: DOMINGUEZ, DAVID A.

License Type: 2019 1 Year Groom Applicant Id: 158151
License Number: 295627

Ruling # 2020-DAA-2

Action Type: Initial Ruling

Ruling:

The groom's License (295627) issued to David Dominguez is hereby rescinded without prejudice as he has applied for and has been licensed as Security staff, before the Board of Stewards on July 24, 2020, and stated he is no longer working in the grooms capacity.

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License A license is valid only under the condition that the licensee remains eligible to hold such a license.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque 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 #: **2020-DAA-3**
Track: Downs at Albuquerque
Ruling Date: 7/27/2020

Licensee: TREJO, RAMON M
License Type: 2017 3 Year Owner Applicant Id: 8075
License Number: 286558

Ruling # 2020-DAA-3

Action Type: Initial Ruling

Ruling:

Applicant Ramon Trejo having applied for an owners license on July 27, 2020 at the Downs Racetrack, is hereby denied pursuant to **New Mexico State Statute 60-1A-11 (C)**. Ramon Trejo will be required to appear before the commission prior to licensure.

Reason For Denial:

New Mexico State Statute 60-1A-11 (C) which states, "A person issued or applying for an occupational license who has positive test results for a controlled substance or who has been convicted of a violation of a federal or state controlled substance law shall be denied a license or shall be subject to revocation of an existing license unless sufficient evidence of rehabilitation is presented to the commission.

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

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

16.47.1 K (1)(2)(3) License denial

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

16.47.1 L (3) Any license denied, suspended or revoked by the commission pursuant to these rules shall state the time period for the effect of its ruling. When the action is taken for a misdemeanor or felony conviction, the time period shall be the period of the licensee's or applicant's imprisonment; or if not imprisoned, the period of probation, deferral, unless the person can satisfy the commission of sufficient rehabilitation. This rule shall also apply to licensees who voluntarily turn in their license because of, or in anticipation of, a conviction.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority. 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. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check." **Last date to appeal 8/6/2020**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-4**
Track: Downs at Albuquerque
Ruling Date: 8/5/2020

Licensee: VALERIANO, SAMUEL ACOSTA
License Type: 2018 3 Year Owner Applicant Id: 10226
Date of Birth: 05/29/1971 License Number: 292027

Ruling # 2020-DAA-4

Action Type: Initial Ruling

Ruling:

Owner Valeriano Racing Stable (Samuel Valeriano) was duly notified and failed to appear before the Board of Stewards and had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance on December 8, 2019, at Zia Park. The hearing was continued to January 12, 2020 at 10:00 am in Sunland Park and failed to appear before the Board of Stewards and had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance and was in regard to the confirmed positive of the Drug Class 3 Penalty Class A (Quarter Horses), Albuterol, found in test sample E329452 taken from the 1st place finisher, "Gold Heart Eagle V", in the 4th race on July 27, 2019, at Ruidoso Downs Racetrack.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to trainer and declined.

S. Trey Wood is the Trainer of record for the horse "Gold Heart Eagle V", and was duly notified.

Valeriano Racing Stable (Samuel Valeriano)'s FIRST Class 3A medication violation in a LIFETIME the Board of Stewards hereby assess a penalty, issued in accordance with 15.2.6.9 (B)(1) Penalty Recommendations, as follows:

1. The horse "Gold Heart Eagle V", is hereby disqualified from First Place and ordered unplaced from the 4th race on July 27, 2019, at Ruidoso Downs Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

- 1) Paramounte
- 2) Sacred Nation
- 3) Mr Jess Jenkins
- 4) Kalifornia Monarch
- 5) One Oh Six

Unplaced "Gold Heart Eagle V"

Licensee is found in violation of and ruling written in accordance with: Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/ 15.2.5.13(E)(4)(d) Running of the Race/ 15.2.6.9 MEDICATIONS AND PROHIBITED 15.2.5.14 D. 7 Protests, Objection and Inquiries/ 15.2.6.9(C)(1)(8)(c) Medication Restrictions/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses/ 15.2.6.9(B) Penalty Recommendation/ 15.2.5.13 E (4) (d) Disqualification and purse distribution.

Appeal Procedures 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 a money order, cashier's check or a corporate check. Last date to appeal 8/15/2020



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-5**
Track Downs at Albuquerque
Ruling Date: 8/8/2020

Licensee: TAVAREZ, MIGUEL ANGEL
License Type: 2019 3 Year Owner Applicant Id: 159089
License Number: 293115

Ruling # 2020-DAA-5

Action Type: Initial Ruling

Ruling:

The Owner's License (293115) issued to Miguel Tavarez is hereby rescinded without prejudice as he has applied for and has been licensed as a vet assistant, before the Board of Stewards on August 7th, 2020, and stated he no longer owns horses.

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License A license is valid only under the condition that the licensee remains eligible to hold such a license.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/
15.2.1.9(B)(9)(a)Failure to Appeal/

By Order of The Downs at Albuquerque Stewards

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



New Mexico Racing Commission
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Ruling #: **2020-DAA-6**
Track: Downs at Albuquerque
Ruling Date: 8/8/2020

Licensee: MARTINEZ, ADAM J

License Type: 2018 3 Year Jockey Applicant Id: 19893
License Number: 291031

Ruling # 2020-DAA-6

Action Type: Initial Ruling

Ruling:

The Jockey's License (291031) issued to Adam Martinez is hereby rescinded without prejudice as he has applied for and has been licensed as an assistant starter, before the Board of Stewards on August 8th, 2020, and stated he no longer works as a jockey.

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License A license is valid only under the condition that the licensee remains eligible to hold such a license.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/
15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

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



New Mexico Racing Commission
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Ruling #: **2020-DAA-7**
Track: Downs at Albuquerque
Ruling Date: 8/14/2020

Licensee: JOHNSON, STANFORD D
License Type: 2020 1 Year Jockey Ag Applicant Id: 14401
Date of Birth: 12/17/1955 License Number: 297788

Ruling # 2020-DAA-7

Action Type: Initial Ruling

Ruling:

Jockey Agent: Stanford D. Johnson, was duly notified and waived his right to a hearing on **August 12, 2020.** **Stanford D. Johnson** is found in violation of Commission rules concerning:

A security citation issued on July 30, 2020 at Albuquerque Downs Racetrack.

Violated the Governor's Covid-19 Quarentine order.

This conduct, action, or omission has resulted in a fine of \$250.00, to paid on or before September 14, 2020, in accordance with 15.2.3.8 (B)(3)(k). Failure to pay the fine in the prescribed time shall result in an immediate suspension.

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

This notice is written in accordance with: 15.2.3.8 B (3)(f) Stewards Disciplinary Action, 15.2.3.8 B (1) (d) Stewards, General Authority,

16.47.1.8. T. KNOWLEDGE OF RULES: 16.47.1.8(N-1) Last Known Address

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

Last date of appeal Aug 24, 2020

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-8**
Track: Downs at Albuquerque
Ruling Date: 8/14/2020

Licensee: BOURDIEU, JORGE M.

License Type: 2020 3 Year Jockey Applicant Id: 30921
Date of Birth: 12/23/1974 License Number: 298893

Ruling # 2020-DAA-8

Action Type: Initial Ruling

Ruling:

Jockey: Jorge Bourdieu, was duly notified and waived his right to a hearing on **August 12, 2020**. **Jorge Bourdieu** is found in violation of Commission rules concerning:

A security citation issued on July 30, 2020 at Albuquerque Downs Racetrack.

Violated the Governor's Covid-19 Quarantine order.

This conduct, action, or omission has resulted in a fine of \$250.00, to paid on or before September 14, 2020, in accordance with 15.2.3.8 (B)(3)(k). Failure to pay the fine in the prescribed time shall result in an immediate suspension.

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

This notice is written in accordance with: 15.2.3.8 B (3)(f) Stewards Disciplinary Action, 15.2.3.8 B (1) (d) Stewards, General Authority,

16.47.1.8. T. KNOWLEDGE OF RULES: 16.47.1.8(N-1) Last Known Address

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

Last date of appeal Aug 24, 2020

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2020-DAA-9
Track Downs at Albuquerque
Ruling Date: 8/14/2020

Licensee: JAQUEZ, RICARDO BURROLO
License Type: 2020 1 Year Groom Applicant Id: 14680
Date of Birth: 04/04/1947 License Number: 297217

Ruling # 2020-DAA-9

Action Type: Initial Ruling

Ruling:

Groom: Ricardo B. Jaquez was duly notified and waived his right to a hearing on **August 12, 2020**. **Ricardo B. Jaquez** is found in violation of Commission rules concerning:

A security citation issued on August 12, 2020 at Albuquerque Downs Racetrack.
Violated the Governor's Covid-19 Mask order.

This conduct, action, or omission has resulted in a fine of \$50.00, to paid on or before September 14, 2020, in accordance with 15.2.3.8 (B)(3)(k). Failure to pay the fine in the prescribed time shall result in an immediate suspension.

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

This notice is written in accordance with: 15.2.3.8 B (3)(f) Stewards Disciplinary Action, 15.2.3.8 B (1) (d) Stewards, General Authority, 16.47.1.8. T. KNOWLEDGE OF RULES: 16.47.1.8(N-1) Last Known Address
15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, or money order.
Last date of appeal Aug 24, 2020

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-10**
Track Downs at Albuquerque
Ruling Date: 8/14/2020

Licensee: HAWKINS, MANDY

License Type: 2020 1 Year Jockey Ag Applicant Id: 27574
License Number: 297589

Ruling # 2020-DAA-10

Action Type: Initial Ruling

Ruling:

The Jockey Agent's License (297589) issued to Mandy Hawkins is hereby rescinded without prejudice as she has applied for and has been licensed as an owner, before the Board of Stewards on August 14th, 2020, and stated she no longer works as a jockey agent.

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License A license is valid only under the condition that the licensee remains eligible to hold such a license.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Downs at Albuquerque Stewards

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



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: **2020-DAA-11**
Track: Downs at Albuquerque
Ruling Date: 8/14/2020

Licensee: **BOBROFF, JACQUELYN A**
License Type: 2018 3 Year Jockey Applicant Id: 30189
License Number: 290445

Ruling # 2020-DAA-11

Action Type: Initial Ruling

Ruling:

Jockey **Jacquelyn Bobroff**, was duly notified and appeared before the Board of Stewards on **August 12, 2020**. The hearing was in regard to **Jacquelyn Bobroff's** misuse of whip on her mount **"Taormina"** after crossing the finish line in the **2nd race on August 9, 2020, at the Downs of Albuquerque**.

The Board of Stewards hereby fines **Jacquelyn Bobroff** in the amount of **five hundred dollars (\$500.00)**. The fine is to be paid on or before **September 13, 2020** in accordance with **15.2.3.8(B)(3) (I) NMAC**. Failure to pay the fine within the time prescribed will result in immediate suspension.

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

15.2.5.13(E)(6)(e) Use of riding crops. 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.

16.47.1.8(U)(2) PROTECTION OF HORSES No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

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

15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a) Failure to Appeal/ 15.2.1.9(B)(9)(b):

By Order of The Downs at Albuquerque Stewards

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



New Mexico Racing Commission
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Ruling #: **2020-DAA-12**
Track: Downs at Albuquerque
Ruling Date: 8/16/2020

Licensee: MARTINEZ, EDGAR S

License Type: 2019 3 Year Jockey Applicant Id: 35567
License Number: 296598

Ruling # 2020-DAA-12

Action Type: Initial Ruling

Ruling:

Jockey Edgar S. Martinez was summoned and appeared before the Board of Stewards on August 16, 2020, for failure to make sufficient effort to control his mount "Posies Envy" in the 5th race on August 15, 2020, at the Downs of Albuquerque racetrack.

The Board of Stewards hereby assesses Edgar S. Martinez a fine in the amount of two hundred and fifty dollars, (\$250.00). This fine is to be paid on or before September 15, 2020, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed shall result in immediate suspension.

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

15.2.5.13(E)(3)(d) NMAC: Post to Finish 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.

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

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/

By Order of The Downs at Albuquerque 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 #: **2020-DAA-13**
Track: **Downs at Albuquerque**
Ruling Date: **8/19/2020**

Licensee: **TORRES, JULIETA NEXY**

License Type: **2020 3 Year Owner** Applicant Id: **34008**
Date of Birth: **07/30/1985** License Number: **298204**

Ruling # **2020-DAA-13**

Action Type: **Initial Ruling**

Ruling:

Owner: Julieta Torres, having been duly notified and failed to appear before the Board Of Stewards on August 19, 2020, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Formoterol (class 3B penalty drug) found in test sample E369480 taken from the 3rd place finisher "Six Pack Fame" following the 4th race, on February 15, 2020 at Sunland Park Race Track.

The hearing was held in Absentia in accordance with 15.2.1.9 (B)(4)d NMAC.

The original lab report indicated a finding of Formoterol in the urine (15.2.6.9 Attachment 2). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to trainer, and confirmed by UC Davis.

Ramon Mendosa is the trainer of record for the horse.

For Julieta Torres's 1st Class 3B medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4), the Board of Stewards assessed a penalty as follows:

1. The horse "Six Pack Fame", is hereby disqualified from 3rd Place and ordered unplaced from the 4th race on February 15, 2020, at Sunland Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

- 1) First Neon Moon
- 2) Jess Featured Girl
- 3) Stominado
- 4) Runner Chick
- 5) Champagne Room
- 6) Meleros Dash
- 7) Don Chuy C
- 8) Jess Tequilla Talkin
- 9) Finnley

Unplaced "Six Pack Fame"

2. The horse "Six Pack Fame" must pass a commission approved examination before entry

Licensee is found in violation of and this ruling is written in accordance with: 15.25.5.14 D (7) Protests, Objections, and Inquiries 15.2.3.8(B)(1)(3)(f) (g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A) 15.2.5.13 E (4) (d) Disqualification and purse distribution.

15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. **Last day for appeal: August 29, 2020.**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-14**
Track **Downs at Albuquerque**
Ruling Date: **8/19/2020**

Licensee: **MENDOZA, RAMON**

License Type: **2019 1 Year Trainer** Applicant Id: **159104**
Date of Birth: **09/29/1996** License Number: **295909**

Ruling # **2020-DAA-14**

Action Type: **Initial Ruling**

Ruling:

Trainer: **Ramon Mendoza**, having been duly notified and failed to appear before the Board Of Stewards on August 19, 2020, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Formoterol (class 3B penalty drug) found in test sample E369480 taken from the 3rd place finisher "Six Pack Fame" following the 4th race, on February 15, 2020 at Sunland Park Race Track.

The hearing was held in Absentia in accordance with 15.2.1.9 (B)(4)d NMAC.

The original lab report indicated a finding of Formoterol in the urine (15.2.6.9 Attachment 2). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to trainer, and confirmed by UC Davis.

Julieta Torres is the owner of record for the horse "Six Pack Fame".

Aggravating Circumstances: The potential of the drug to influence the horse's racing performance and previous medication violations.

This is **Ramon Mendoza's First 3-B medication violation, in a 365-day period**, issued in accordance with **15.2.6.9 (B)(2)**. The Board of Stewards assessed a penalty as follows:

1. **A (\$1000.00) One Thousand dollar fine to paid on or before September 18, 2020**, in accordance with **15.2.3.8 (B)(3)(i) NMAC**. Failure to pay fine in prescribed time will result in an immediate suspension.
2. **A 60 day suspension of all NMRC licenses starting from August 19, 2020 through October, 18, 2020, inclusive.**

During said time of applicable suspension **Ramon Mendoza** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**. Additionally, effective upon applicable suspension dates, all horses **owned, trained, or under the care of Ramon Mendoza**, are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained by, owned by, or in the care and custody of Ramon Mendoza** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances**.

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations.

Appeal Procedures 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

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-15**
Track: Downs at Albuquerque
Ruling Date: 8/19/2020

Licensee: PARGA-LEOS, JAIME

License Type: 2020 3 Year Jockey Applicant Id: 30593
License Number: 297659

Ruling # 2020-DAA-15

Action Type: Initial Ruling

Ruling:

Jockey Jaime Parga-Leos was summoned and failed to appear or send a representative before the Board of Stewards on August 16, 2020, for failure to make sufficient effort to control his mount "Call Me Cash" in the 6th race on August 15, 2020, at the Downs of Albuquerque racetrack.

The Board of Stewards hereby assesses Jaime Parga-Leos a fine in the amount of two hundred and fifty dollars, (\$250.00) for the riding infraction as well as a fine in the amount of one hundred dollars (\$100) for failing to appear before the Board of Stewards when Summoned for a total fine of three hundred and fifty dollars (\$350). This fine is to be paid on or before September 15, 2020, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed shall result in immediate suspension.

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

15.2.5.13(E)(3)(d) NMAC: Post to Finish 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.

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

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/

By Order of The Downs at Albuquerque 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 #: **2020-DAA-16**
Track: Downs at Albuquerque
Ruling Date: 8/19/2020

Licensee: RUIZ, JOSE DANIEL

License Type: 2018 3 Year Jockey Applicant Id: 32886
License Number: 292085

Ruling # 2020-DAA-16

Action Type: Initial Ruling

Ruling:

Jockey Jose Daniel Ruiz was summoned and failed to appear or send a representative before the Board of Stewards on August 16, 2020, for failure to make sufficient effort to control his mount "Apolliperfection" in the 7th race on August 15, 2020, at the Downs of Albuquerque racetrack.

The Board of Stewards hereby assesses Jose Daniel Ruiz a fine in the amount of two hundred and fifty dollars, (\$250.00) for the riding infraction as well as a fine in the amount of one hundred dollars (\$100) for failing to appear before the Board of Stewards when Summoned for a total fine of three hundred and fifty dollars (\$350). This fine is to be paid on or before September 15, 2020, in accordance with 15.2.3.8 (B)(3)(l) NMAC. Failure to pay the fine within the time prescribed shall result in immediate suspension.

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

15.2.5.13(E)(3)(d) NMAC: Post to Finish 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.

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

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/

By Order of The Downs at Albuquerque 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 #: **2020-DAA-17**
Track: Downs at Albuquerque
Ruling Date: 8/19/2020

Licensee: **BECERRA, JR SERGIO**

License Type: **2020 3 Year Jockey** Applicant Id: **32539**
License Number: **297672**

Ruling # 2020-DAA-17

Action Type: Initial Ruling

Ruling:

Jockey Sergio Becerra, Jr. was summoned and failed to appear or send a representative before the Board of Stewards on August 16, 2020, for excessive use of the whip on his mount "Mr Moon" in the 4th race on August 15, 2020, at the Downs of Albuquerque racetrack.

The Board of Stewards hereby assesses Sergio Becerra, Jr. a fine in the amount of one hundred dollars (\$100) for failing to appear before the Stewards when summoned and he will be re-summoned to appear before the Board of Stewards for this infraction at a later date. This fine is to be paid on or before September 15, 2020, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed shall result in immediate suspension.

15.2.1.9(b):

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

By Order of The Downs at Albuquerque 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 #: **2020-DAA-18**
Track: Downs at Albuquerque
Ruling Date: 8/19/2020

Licensee: FIGUEROA, LUIS ARTURO
License Type: 2020 1 Year Clerk of S Applicant Id: 161175
License Number: 299238

Ruling # 2020-DAA-18

Action Type: Initial Ruling

Ruling:

Clerk of Scales Luis Figueroa, was duly notified and waived his right to a hearing on August 19, 2020. Luis Figueroa is found in violation of Commission rules concerning:

A security citation issued on August 2, 2020 at Albuquerque Downs Racetrack.

Violated the Governor's Covid-19 Quarantine order.

This conduct, action, or omission has resulted in a fine of \$250.00, to paid on or before September 19, 2020, in accordance with 15.2.3.8 (B)(3)(k). Failure to pay the fine in the prescribed time shall result in an immediate suspension.

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

This notice is written in accordance with: 15.2.3.8 B (3)(f) Stewards Disciplinary Action, 15.2.3.8 B (1) (d) Stewards, General Authority, 16.47.1.8. T. KNOWLEDGE OF RULES: 16.47.1.8(N-1) Last Known Address

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

Last date of appeal Aug 29, 2020

By Order of The Downs at Albuquerque 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 #: **2020-DAA-19**
Track: **Downs at Albuquerque**
Ruling Date: **8/22/2020**

Licensee: **VILLANUEVA, JUAN CARLOS**
License Type: **2020 1 Year Jockey** Applicant Id: **34058**
License Number: **297177**

Ruling # 2020-DAA-19

Action Type: Initial Ruling

Ruling:

Jockey Juan Carlos Villanueva is hereby summarily suspended, effective immediately August 22, 2020 pending the outcome of his summary suspension hearing scheduled on August 30, 2020 at 9:30 a.m in the offices of the Board of Stewards at The Downs of Albuquerque Racetrack (145 Louisiana Blvd NE Albuquerque, NM 87108) per 15.2.1.9 (B)(3)(b) Summary Suspension, regarding Juan Carlos Villanueva being found in possession of marijuana and drug paraphernalia in the barn area on August 22, 2020. During said time of applicable suspension Juan Carlos Villanueva is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per 15.2.1.9 (C)(21)(a-b) Exclusion.

Licensee is found in violation of and this ruling is written in accordance with: 15.2.1.9(B)(3)(a) Proceedings Before The Stewards: Summary Suspension If the Stewards determine that a licensee's action constitute an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing. 15.2.1.9(B)(3)(b) Proceedings Before The Stewards: Summary Suspension A licensee whose license has been summarily suspended is entitled to a hearing on the summary suspension not later than the 10th day after the license was summarily suspended. The licensee may waive their right to a hearing on the summary suspension within the 10-day limit **15.2.6.8 (B)(3) TREATMENT RESTRICTIONS:** No person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the commission, or a veterinary assistant licensed by the commission acting under the direct supervision of a licensed veterinarian, shall possess on any location under the jurisdiction of the commission any of the following unless approved by the commission (a) any drug which is a narcotic, stimulant, or depressant, or any other substance or medication that has been prepared or packaged for injection by a hypodermic syringe, or hypodermic needle **15.2.6.9(H)(1) Medical Labeling** No person on association grounds where horses are lodged or kept, excluding veterinarians licensed by the commission, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effect or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection **15.2.6.9(K)(1) Contraband** No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in that person's care, custody or control, a drug, medication, chemical, foreign substance or 15.2.6 NMAC 12 other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with Subsection H of 15.2.6.9 NMAC. This restriction includes, but is not limited to, locations on the association grounds where that person occupies, in that person's personal property, effects or vehicle . 16.47.1.18 (B) ASSESSMENT/TREATMENT REQUIREMENTS GENERAL FIRST-TIME OFFENDERS 16.47.1.17 (A)(3) TESTING PROCEDURES No notice need be given as to onset or cessation of random testing. 16.47.1.8 (E) Consent to Search and Seizure By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents, and to the seizure of any prohibited medication, drugs, paraphernalia, or devices in accordance with State and Federal law. 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license 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 adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule. 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information 15.2.2.8(V)(1) EJECTION AND EXCLUSION An association shall immediately eject from the association grounds a person who is subject to such an exclusion order of the commission or stewards and notify the commission of the ejection.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-20**
Track: Downs at Albuquerque
Ruling Date: 8/23/2020

Licensee: MARTINEZ, FRANKIE HAROLD
License Type: 2018 3 Year Trainer Applicant Id: 16525
License Number: 291178

Ruling # 2020-DAA-20

Action Type: Initial Ruling

Ruling:

Pursuant to 15.2.1.9(B)(8)(c) Effect of Rulings and 16.47.1.8 (L)(1) (h) Reciprocity, the Board of Stewards hereby suspend all licenses issued to owner/trainer Frankie H. Martinez effective immediately August 23, 2020, pending the reinstatement of his Trainer's license to good standing in Colorado. On August 23, 2020, the Board of Stewards received ruling 2020-ARP-2, issued on July 8, 2020, by The Colorado Racing Commission suspending Trainer Frankie Harold Martinez.

During said time of applicable suspension Frankie Harold Martinez is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with 15.2.1.9 (C)(21). Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care and custody of Frankie Harold Martinez are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Frankie Harold Martinez must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.

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

16.47.1.8 (L)(1) (h) Reciprocity The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant has had a license denied, suspended, or revoked by any racing jurisdiction.

16.47.1.8 (L)(1) (e) Reciprocity The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant has been found in violation of rules governing racing in this state or other jurisdictions

15.2.1.9(C)(22)(a)(b) Reciprocity Appeals of reciprocal rulings. Persons subject to rulings in other jurisdictions shall have the right to request a hearing before the commission to show cause why such ruling should not be enforced in this jurisdiction. Any request for such hearing must clearly set forth in writing the reasons for the appeal.

15.2.1.9(B)(8)(c) Effect of Rulings The stewards shall honor the rulings issued by other pari-mutuel racing commissions.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)

Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check." Last date to appeal 9/2/2020



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-21**
Track: Downs at Albuquerque
Ruling Date: 8/26/2020

Licensee: Barraza, Marcelo

License Type: 2018 3 Year Jockey Applicant Id: 160025
License Number: 290854

Ruling # 2020-DAA-21

Action Type: Initial Ruling

Ruling:

Jockey Marcello Barraza was summoned and appeared before the Board of Stewards on August 26, 2020, for careless riding during the running of the 3rd race on August 23, 2020 at the Downs of Albuquerque racetrack while aboard "Heza Ramblin James" who was disqualified from 5th and placed last. (Bore in impeding #6 putting him behind horses and causing him the opportunity at a better position.)

The Board of Stewards hereby assesses Marcello Barraza a suspension of 7 calendar days (September 2, 2020, through September 8, 2020, inclusive). The term of this suspension shall not prohibit participation in designated race days.

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

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

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

15.2.5.13(E)(3)(c) NMAC: Post to Finish 15.2.5.13(E)(3)(d) NMAC: Post to Finish 15.2.5.13(E)(4) (a) NMAC Disqualification./15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys/15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority /16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/

By Order of The Downs at Albuquerque 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 #: **2020-DAA-22**
Track: Downs at Albuquerque
Ruling Date: 8/28/2020

Licensee: CADWALLADER, ROGER FRANKLIN
License Type: 2020 1 Year Outrider Applicant Id: 13958
License Number: 298882

Ruling # 2020-DAA-22

Action Type: Initial Ruling

Ruling:

Outrider Roger Cadwallader, is hereby summarily suspended, effective immediately **August 28, 2020** for his abusive behavior towards a horse on August 20, 2020, at the Downs of Albuquerque Racetrack.

During said time of applicable suspension Roger Cadwallader is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC pending the outcome of his hearing **September 6, 2020 @9:30 a.m.** in the offices of the **Board of Stewards at the Downs of Albuquerque (145 Louisiana Blvd NE, Albuquerque, NM 87108)** per **15.2.1.9 (B)(3)(b) Summary Suspension and 15.2.1.9 (C)(21)(a-b) Exclusion.**

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

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

15.2.1.9 (B)(3)(b) Summary Suspension 15.2.3.8 B (3)(f) Stewards Disciplinary Action 16.47.1.8 (L)(1)(i) – Conduct Which states in pertinent part "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing"

15.2.3.8 B (3)(A) Stewards Disciplinary Action stewards shall take notice of alleged misconduct or rule violations and initiate investigations into the matters. The stewards shall have authority to charge any licensee for a violation of these rules, to conduct hearings and to impose disciplinary action in accordance with these rules. **16.47.18 (U) 2 Protection of horses** No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care. **15.2.2.8(V)(1) EJECTION AND**

EXCLUSION An association shall immediately eject from the association grounds a person who is subject to such an exclusion order of the commission or stewards and notify the commission of the ejection. **15.2.2.8(V)(2) EJECTION AND EXCLUSION** An association may eject or exclude a

person for any lawful reason. An association shall immediately notify the stewards and the commission in writing of any person ejected or excluded by the association and the reasons for the ejection or exclusion. **16.47.1.8. T. KNOWLEDGE OF RULES: 16.47.1.3 Statutory Authority 16.47.1.8**

(A)(1) License Required 16.47.1.8 (A)(2) License Required 16.47.1.8(N) Last Known Address



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-23**
Track Downs at Albuquerque
Ruling Date: 8/28/2020

Licensee: **HEBERT, TRACY JAMES**

License Type: **2019 1 Year Jockey** Applicant Id: **159170**
License Number: **296242**

Ruling # 2020-DAA-23

Action Type: Initial Ruling

Ruling:

Jockey, **Tracy J. Hebert**, having been summoned **and having appeared** before Board of Stewards **on August 26, 2020**, for careless riding during the running of the **4th race on August 26th, 2020**, while **aboard #2 "Bossy Baby"**. (Bore out down the backstretch impeding several outside horses and causing the #5 to clip heels and nearly go down.) There was no disqualification whereas the horses that where impeded finished ahead of #2 "Bossy Baby".

For this rule violation, the Board of Stewards assessed **Tracy J. Hebert** a suspension of **7 calendar days (September 5th, 2020 thru September 11th, 2020)**. **Tracy J. Hebert** is allowed to ride designated races./

This ruling is written in accordance with:

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

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

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states 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." Last Date to Appeal 9/7/2020

By Order of The Downs at Albuquerque 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 #: **2020-DAA-24**
Track: Downs at Albuquerque
Ruling Date: 8/29/2020

Licensee: GOMEZ-GONZALEZ, PEDRO

License Type: 2020 3 Year Trainer Applicant Id: 30693
License Number: 298277

Ruling # 2020-DAA-24

Action Type: Initial Ruling

Ruling:

Trainer Pedro Gomez was duly notified and waived his right to a 10 day notice and hearing before the Board of Stewards. The hearing was in regard to Pedro Gomez necessitating a late scratch for entry "Graceful Lullaby", from race 8 on August 15, 2020 at the Downs of Albuquerque Racetrack.

The Board of Stewards hereby fines Pedro Gomez in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before 9/29/ 2020, in accordance with 15.2.3.8(B)(3)(K) NMAC. Failure to pay the fine within the time prescribed shall result in immediate suspension.

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

15.2.5.9 (B) (4) No horse may be scratched from an overnight race without approval of the stewards.

Declarations and scratches 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b):

By Order of The Downs at Albuquerque 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 #: 2020-DAA-25
Track Downs at Albuquerque
Ruling Date: 8/29/2020

Licensee: SANCHEZ, PHILLIP RALPH
License Type: 2018 3 Year Trainer Applicant Id: 29569
Date of Birth: 01/21/1959 License Number: 289467

Ruling # 2020-DAA-25

Action Type: Initial Ruling

Ruling:

Trainer: Phillip Sanchez having been duly notified, and waived his right to a formal hearing before the Board of Stewards on **August 29, 2020**, for failure to declare equipment **(Flipping Halter Off)** at time of entry for **"E J's Gold"** entered in **the 9th race on August 16, 2020 at the Downs at Albuquerque..**

For this rule violation, the Board of Stewards assessed **Phillip Sanchez** a penalty in the amount of **Two Hundred Dollars (\$ 200.00)**. The fine is to paid on or before **September 29, 2020**, 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:
15.2.5.8 (B10) Procedure For Entries

This ruling is written in accordance with:

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

Appeal Procedures 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 a money order, cashier's check or a corporate check. **Last date of appeal September 7, 2020**

By Order of The Downs at Albuquerque Stewards

**New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-27**
Track: Downs at Albuquerque
Ruling Date: 9/2/2020

Licensee: RAMOS, ADRIAN ALFREDO
License Type: 2020 3 Year Jockey Applicant Id: 20427
License Number: 298242

Ruling # 2020-DAA-27

Action Type: Initial Ruling

Ruling:

Jockey Adrian A. Ramos, was duly notified and sent a representative before the Board of Stewards on September 2, 2020. The hearing was in regard to Adrian A. Ramos' excessive use of the whip on his mount "Taking the Stage" during the running of the 5th race on August 30, 2020, at the Downs of Albuquerque.

The Board of Stewards hereby fines Adrian A. Ramos in the amount of five hundred dollars (\$500.00). The fine is to be paid on or before November 1, 2020, in accordance with 15.2.3.8(B)(3)(1) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

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

15.2.5.13(E)(6)(e) Use of riding crops. 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.

16.47.1.8(U)(2) PROTECTION OF HORSES No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

16.47.1.8 (L)(1)(i) – CONDUCT The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing
15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures

By Order of The Downs at Albuquerque 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 #: **2020-DAA-28**
Track **Downs at Albuquerque**
Ruling Date: **9/4/2020**

Licensee: **SANDERSON, ROBERT DUANE**

License Type: **2020 1 Year Trainer** Applicant Id: **28854**
License Number: **298430**

Ruling # **2020-DAA-28**

Action Type: **Initial Ruling**

Ruling:

Trainer Robert D. Sanderson, is hereby summarily suspended, effective immediately, September 3, 2020, pending the outcome of his summary suspension hearing on September 12, 2020 at 9:30 a.m. in the office of the Board of Stewards at the Downs of Albuquerque (145 Louisiana Blvd NE, Albuquerque, NM 87108) per 15.2.1.9 (B)(3)(b) Summary Suspension. The summary suspension is in regard to the confirmed positive of the Drug (Class 3 Penalty Class A (Quarter Horses), Albuterol, found in test sample E397324 taken from the horse "Mr Desert Wrangler", who finished in 1st place in the 4th race on August 23, 2020 at the Downs of Albuquerque Racetrack.

In accordance with 15.2.1.9 (C)(21), Robert D. Sanderson is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care of Robert D. Sanderson are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Robert D. Sanderson must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.

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

15.2.6.9 NMAC Attachment #1 ARCI Uniform Classification of Substances-Version 14.0- January 2019 - Albuterol Class A Classification for Quarter horses

15.2.6.9(C)(8)(a)(9)(10)(a)(b)(c)(d) Medication Restrictions

15.2.6.9(B)(1) Penalty Recommendations

15.2.6.9(C)(4) There is no permissible concentration of Albuterol or Clenbuterol that is allowed to appear in any official sample.

16.47.1.8 (U)(1)(2) PROTECTION OF HORSES

16.47.1.10(B)(1)(2) Absolute Insurer

16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license

15.2.1.9(B)(3)(a) Proceedings Before The Stewards: Summary Suspension If the Stewards determine that a licensee's action constitute an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing.

15.2.1.9(B)(3)(b) Proceedings Before The Stewards: Summary Suspension A licensee whose license has been summarily suspended is entitled to a hearing on the summary suspension not later than the 10th day after the license was summarily suspended. The licensee may waive their right to a hearing on the summary suspension within the 10-day limit

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application In

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-29**
Track: Downs at Albuquerque
Ruling Date: 9/4/2020

Licensee: RUIZ-AMAYA, DANIEL ROBERTO

License Type: 2019 1 Year Jockey Applicant Id: 33287
License Number: 296619

Ruling # 2020-DAA-29

Action Type: Initial Ruling

Ruling:

Jockey Daniel Ruiz-Amaya is hereby suspended, effective immediately September 4, 2020, for failing to pay the fines (\$500) assessed in Ruling 2020-RUI-70 and (\$1000) assessed in ruling 2020-RUI-71.

During said time of applicable suspension Jockey Daniel Ruiz-Amaya is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with 15.2.1.9 (C)(21).

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

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/
15.2.1.9(B)(9)(a)Failure to Appeal/

By Order of The Downs at Albuquerque 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 #: **2020-DAA-30**
Track: Downs at Albuquerque
Ruling Date: 9/9/2020

Licensee: **GUILLEN, RIGOBERTO**

License Type: 2018 3 Year Trainer Applicant Id: 30416
License Number: 289729

Ruling # 2020-DAA-30

Action Type: Initial Ruling

Ruling:

Pursuant to 15.2.1.9(B)(8)(c) Effect of Rulings and 16.47.1.8 (L)(1) (h) Reciprocity, the Board of Stewards hereby suspend all licenses issued to trainer Rigoberto Guillen effective immediately September 9, 2020, pending the reinstatement of his Trainer's license to good standing in Arizona. On September 9, 2020, the Board of Stewards received ruling 19-20TP079, issued on January 7, 2020, by The Arizona Department of Racing suspending Trainer Rigoberto Guillen.

During said time of applicable suspension Rigoberto Guillen is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with 15.2.1.9 (C)(21). Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care and custody of Rigoberto Guillen are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C) (21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Frankie Harold Martinez must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.

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

16.47.1.8 (L)(1) (h) Reciprocity The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant has had a license denied, suspended, or revoked by any racing jurisdiction.

16.47.1.8 (L)(1) (e) Reciprocity The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant has been found in violation of rules governing racing in this state or other jurisdictions

15.2.1.9(C)(22)(a)(b) Reciprocity Appeals of reciprocal rulings. Persons subject to rulings in other jurisdictions shall have the right to request a hearing before the commission to show cause why such ruling should not be enforced in this jurisdiction. Any request for such hearing must clearly set forth in writing the reasons for the appeal.

15.2.1.9(B)(8)(c) Effect of Rulings The stewards shall honor the rulings issued by other pari-mutuel racing commissions.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)

Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check." Last date to appeal 9/19/2020



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-31**
Track: Downs at Albuquerque
Ruling Date: 9/12/2020

Licensee: GUTIERREZ, TAURINO GONZALEZ
License Type: 2020 3 Year Trainer Applicant Id: 33130
Date of Birth: 01/04/1956 License Number: 297538

Ruling # 2020-DAA-31

Action Type: Initial Ruling

Ruling:

Trainer: Taurino Gutierrez, having been duly notified and having waived his right to a hearing before the Board of Stewards on **September 12, 2020**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for **"La Gitana AR"**, entered in **the 2nd race on August 22, 2020, at Albuquerque Downs**.

The Board of Stewards hereby assesses **Taurino Gutierrez** a fine in the amount of **Two Hundred Dollars (\$200.00)**. The fine is to be paid on or before **October 11, 2020**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

This ruling is written in accordance with:

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

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

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

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a) Failure to Appeal/ 15.2.1.9(B)(9)(b):

Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check." **Last date for appeal: September 22, 2020**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-32**
Track Downs at Albuquerque
Ruling Date: 9/12/2020

Licensee: VALLECILLO, ABELARDO

License Type: 2019 3 Year Trainer Applicant Id: 30943
Date of Birth: 05/23/1972 License Number: 295723

Ruling # 2020-DAA-32

Action Type: Initial Ruling

Ruling:

Trainer: **Abelardo Vallecillo**, having been duly notified, and waived his right to a hearing before the Board of Stewards on **September 12, 2020**, for failure have his entry, **Calamity Jane RF** in the paddock at the designated time for the **1st race on August 23, 2020, at Albuquerque Downs Racetrack.**

For this rule violation, the Board of Stewards assessed **Abelardo Vallecillo** a penalty in the amount of **Two Hundred Dollars (\$200.00)**. The fine is to be paid on or before **October 12, 2020**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will 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;

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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, or money order.

Last date for appeal: October 12, 2020

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-33**
Track: Downs at Albuquerque
Ruling Date: 9/12/2020

Licensee: **PADGETT,II JAMES BOYD**
License Type: 2018 3 Year Trainer Applicant Id: 158704
Date of Birth: 12/03/1977 License Number: 291524

Ruling # 2020-DAA-33

Action Type: Initial Ruling

Ruling:

Trainer: **James Padgett** having been duly notified, waived his right to a hearing before the Board of Stewards on **September 12, 2020**, for failure to appear in paddock with entry "**Typhoon Moon**", which resulted in a late scratch and pari-mutuel refund in the **1st race on August 16, 2020 at Albuquerque Downs Race Track**

For this rule violation, the Board of Stewards assessed **James Padgett** a penalty in the amount of **Two Hundred Dollars (\$200.00)**. The fine is to be paid on or before **October 12, 2020**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

Licensee is found in violation of.

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

15.2.4.8(C)(1) Claiming Races Any horse entered in a claiming race that is not present in the paddock at least 10 minutes to post will be scratched.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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."

Last day for appeal: September 22, 2020.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-34**
Track Downs at Albuquerque
Ruling Date: 9/12/2020

Licensee: ITURRALDE, LUIS DANIEL
License Type: 2020 3 Year Trainer Applicant Id: 33065
Date of Birth: 04/18/1990 License Number: 297552

Ruling # 2020-DAA-34

Action Type: Initial Ruling

Ruling:

Trainer: Luis D. Iturralde having been duly notified, and waived his right a hearing before the Board of Stewards on **September 11, 2020**, for failing to have a current **piroplasmosis/Coggins** for entry **"Put Me On The Cover"** which resulted in a late scratch and pari-mutuel refund in the **4th race on August 16, 2020 at Albuquerque Downs Race Track.**

For this violation, the Board of Stewards assessed **Luis D. Iturralde** a fine in the amount of **Two Hundred Dollars (\$200.00)**. The fine is to be paid on or before **October 12, 2020**, in accordance with 15.2.3.8 (B)(3)(l) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension

Licensee is found to be in violation of.

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

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

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

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

This ruling is written in accordance with

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500." **Last date for appeal: September 22, 2020**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-35**
Track **Downs at Albuquerque**
Ruling Date: **9/12/2020**

Licensee: **MADRID, ENRIQUE HOLGU**
License Type: **2020 3 Year Trainer** Applicant Id: **18489**
Date of Birth: **08/26/1969** License Number: **298856**

Ruling # **2020-DAA-35**

Action Type: **Initial Ruling**

Ruling:

Trainer: **Enrique Madrid**, having been duly notified and having waived his rights to a hearing before the Board of Stewards on **September 12, 2020**, for administering Lasix to a non-Lasix horse, "**LaManzinita Lift**", which resulted in a late scratch in the **2nd race on August 23, 2020 at Albuquerque Downs Racetrack**.

The Board of Stewards hereby assesses **Enrique Madrid** a fine in the amount **of Two Hundred Dollars, (\$200.00)**. The fine is to be paid on or before **October 12, 2020**, in accordance with 15.2.3.8 (B)(3)(1) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension

Licensee is found in violation of:

15.2.6.9 (C) (3) MEDICATION RESTRICTIONS 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.

This ruling in written in accordance with:

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

15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. Last date for appeal: September 22, 2020

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-36**
Track: Downs at Albuquerque
Ruling Date: 9/12/2020

Licensee: OLIVAS-VALENZUELA, JESUS EDUARDO
License Type: 2019 3 Year Trainer Applicant Id: 162009
Date of Birth: 12/07/1990 License Number: 293979

Ruling # 2020-DAA-36

Action Type: Initial Ruling

Ruling:

Trainer: **Jesus E. Olivas**, having been duly notified and having waived his rights to a hearing before the Board of Stewards on **September 12, 2020**, for administering Lasix to a non-Lasix horse, "**La Fiesa Cartel**", which resulted in a late scratch in the **1st race on August 23, 2020 at Albuquerque Downs Racetrack**.

The Board of Stewards hereby assesses **Jesus E. Olivas** a fine in the amount of **Two Hundred Dollars, (\$200.00)**. The fine is to be paid on or before **October 12, 2020**, in accordance with 15.2.3.8 (B)(3)(1) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

Licensee is found in violation of:

15.2.6.9 (C) (3) MEDICATION RESTRICTIONS 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.

This ruling is written in accordance with:

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

15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. **Last date for appeal: September 22, 2020**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-37**
Track: Downs at Albuquerque
Ruling Date: 9/12/2020

Licensee: MUELA, JOSE LUIS
License Type: 2019 3 Year Trainer Applicant Id: 32421
Date of Birth: 08/07/1971 License Number: 293553

Ruling # 2020-DAA-37

Action Type: Initial Ruling

Ruling:

Trainer: **Jose L. Muela** having been duly notified, and waived his right a hearing before the Board of Stewards on **September 11, 2020**, for failing to have a current **Piroplasmosis/Coggins** for entry "**Kathmando**" which resulted in a late scratch and pari-mutuel refund in the **3rd race on August 28, 2020 at Albuquerque Downs Race Track.**

For this violation, the Board of Stewards assessed **Jose L. Muela** a fine in the amount of **Two Hundred Dollars (\$200.00)**. The fine is to be paid on or before **October 12, 2020**, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension

Licensee is found to be in violation of.

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

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

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

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

This ruling is written in accordance with

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500." Last date for appeal: September 22, 2020

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-38**
Track: Downs at Albuquerque
Ruling Date: 9/12/2020

Licensee: **CARRETE, JESUS J.**
License Type: 2018 3 Year Trainer Applicant Id: 3671
Date of Birth: 02/22/1955 License Number: 289520

Ruling # 2020-DAA-38

Action Type: Initial Ruling

Ruling:

Trainer: **Jesus J. Carrete** having been duly notified, waived his hearing before the Board of Stewards on **September 12, 2020** for failure to appear in paddock with entry, **Tambien Wrangles**, which resulted in a late scratch and pari-mutuel refund in the **3rd race on August 9, 2020**

For this rule violation, the Board of Stewards assessed **Jesus J. Carrete** a penalty in the amount of **Two Hundred Dollars (\$200.00)**. The fine is to be paid on or before **October 12, 2020** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found in violation of.

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

This ruling in written in accordance with:

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

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." Last date for appeal: **September 22, 2020.**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-39**
Track: Downs at Albuquerque
Ruling Date: 9/13/2020

Licensee: COBOS-BARRAZA, BRIAN

License Type: 2019 3 Year Jockey Applicant Id: 161317
License Number: 295774

Ruling # 2020-DAA-39

Action Type: Initial Ruling

Ruling:

Jockey Brian Cobos Barraza, was duly notified and appeared before the Board of Stewards on September 12, 2020. The hearing was in regard to Brian Cobos Barrazas' excessive use of the whip on his mount "Pretty Boy Ar" during the running of the 1st race on September 11, 2020, at the Downs of Albuquerque.

The Board of Stewards hereby fines Brian Cobos Barraza in the amount of five hundred dollars (\$500.00). The fine is to be paid on or before November 1, 2020, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

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

15.2.5.13(E)(6)(e) Use of riding crops. 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.

16.47.1.8(U)(2) PROTECTION OF HORSES No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

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

15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/

15.2.1.9(B)(9)(b): Appeal Procedures

By Order of The Downs at Albuquerque 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 #: **2020-DAA-40**
Track: Downs at Albuquerque
Ruling Date: 9/13/2020

Licensee: FUENTES, LUIS ANGEL

License Type: 2020 3 Year Jockey Applicant Id: 32018
License Number: 297993

Ruling # 2020-DAA-40

Action Type: Initial Ruling

Ruling:

Jockey Luis A. Fuentes was summoned and appeared before the Board of Stewards on September 13, 2020, for failure to make sufficient effort to maintain his lane while aboard "Bayern to Be Wild", in the 8th race on September 11, 2020, at The Downs of Albuquerque Racetrack.

The Board of Stewards hereby fines Luis A. Fuentes in the amount of two hundred dollars, (\$200.00). The fine is to be paid on or before October 23, 2020 in accordance with 15.2.3.8 (B)(3)(k). Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found in violation of:

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

15.2.5.13(E)(3)(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."

This ruling is written in accordance with:

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

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

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The Downs at Albuquerque 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 #: **2020-DAA-41**
Track Downs at Albuquerque
Ruling Date: 9/13/2020

Licensee: LAVANWAY, DAYSON
License Type: 2019 3 Year Trainer Applicant Id: 158653
Date of Birth: 03/14/1962 License Number: 294473

Ruling # 2020-DAA-41

Action Type: Initial Ruling

Ruling:

Trainer: Dayson LaVanway; having been duly notified and appeared before the Board Of Stewards on September 13, 2020 to waive his rights to a hearing in regard to a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Dexamethasone (a class 4C-Major penalty) found in test sample E397293 taken from the 6th place finisher "Swizzlon Moments" following the 4th race, on August 21, 2020, at Albuquerque Downs Race Track.

The original lab report indicated a finding of Dexamethasone at 44.3 +/- 0.7 pg/ml in the blood, the allowable limit for Dexamethasone is 5 pg/ml in the blood (15.2.6.9 Attachment 2 Page 3).

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer.
Lauro A. Terrazas is the owner of record for horse "Swizzlon Moments"

Aggravating Circumstances high level of medication.

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

1. A (\$1,000) One Thousand dollar fine to paid on or before October 13, 2020, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay fine in prescribed time will result in an immediate suspension.
2. MMV POINTS ADDED = 1 Total Points = 1

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations. **15.2.6.9 (O)Multiple Medication Violations (MMV):**

A trainer who receives a penalty for a medication violation based upon a horse testing positive for a class 1-5 medication with penalty class A-C, as provided in the version of the ARCI "uniform classification guidelines for foreign substances" listed in 15.2.6.9 NMAC, or similar state regulatory guidelines, shall be assigned.

Appeal Procedures 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 a money order or cashier's check. **Last date of appeal : September 23, 2020**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-42**
Track: Downs at Albuquerque
Ruling Date: 9/16/2020

Licensee: TERRAZAS, LAURO ALEJANDRO
License Type: 2020 3 Year Owner Applicant Id: 163259
License Number: 299291

Ruling # 2020-DAA-42

Action Type: Initial Ruling

Ruling:

Owner Lauro A. Terrazas was duly notified, and being represented by his Trainer Dayson LaVanway who waived his right to a hearing before the Board of Stewards on September 13, 2020. The hearing was in regard to a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Dexamethasone (a class 4C-Major penalty) found in test sample E397293 taken from the 6th place finisher "Swizzlon Moments" following the 4th race, on August 21, 2020, at Albuquerque Downs Race Track.

The original lab report indicated a finding of Dexamethasone at 44.3 +/- 0.7 pg/ml in the blood, the allowable limit for Dexamethasone is 5 pg/ml in the blood (15.2.6.9 Attachment 2 Page 3).

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer.

Dayson LaVanway was the trainer of record for the horse "Swizzlon Moments" at the time of the violation.

In accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Lauro A. Terrazas First Class 4C MAJOR medication violation in a 365-day period. The Board of Stewards hereby assess penalty as follows:

1. The horse "Swizzlon Moments" is hereby disqualified from sixth place and ordered unplaced from the 4th race on August 21, 2020 at the Downs of Albuquerque racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows

- 1) Y You So Mean
- 2) Dashin N Blazin
- 3) Blazin Version
- 4) Splish Splash Flash
- 5) Mr See You
- 6) Amalia Marie
- 7) Hehasitall
- 8) Moonlight Secrets
- 9) Mr Izonja

Unplaced: Swizzlon Moments

2. The horse "Swizzlon Moments" must pass a commission approved examination before being eligible to enter.

Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards /15.2.6.9(C)(1) Medication Restrictions / 15.2.6.9(F)Permissible/ 15.2.6.9 NMAC Attachment 2/ Medications With Acceptable Levels /15.2.6.9(B)(4)Penalty Recommendations/ 15.2.3.8(B)(3)(k) Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC

Appeal Procedures 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 a money order or cashier's check. **Last date of appeal : September 23, 2020**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-43**
Track: Downs at Albuquerque
Ruling Date: 9/18/2020

Licensee: ITURRALDE, OMAR ANTONIO
License Type: 2018 3 Year Jockey Applicant Id: 159020
License Number: 288708

Ruling # 2020-DAA-43

Action Type: Initial Ruling

Ruling:

Jockey Omar Iturralde, was duly notified and appeared before the Board of Stewards on September 16, 2020. The hearing was in regard to Omar Iturralde's excessive use of the whip on his mount "High Fly Eagle" during the running of the 4th race on September 13, 2020, at the Downs of Albuquerque.

The Board of Stewards hereby fines Omar Iturralde in the amount of five hundred dollars (\$500.00). The fine is to be paid on or before October 18, 2020, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

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

15.2.5.13(E)(6)(e) Use of riding crops. 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.

16.47.1.8(U)(2) PROTECTION OF HORSES No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

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

15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2)

License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures

By Order of The Downs at Albuquerque 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 #: **2020-DAA-44**
Track Downs at Albuquerque
Ruling Date: 9/19/2020

Licensee: PEREZ, MIGUEL ANGEL
License Type: 2020 1 Year Owner Applicant Id: 27161
Date of Birth: 06/30/1972 License Number: 299182

Ruling # 2020-DAA-44

Action Type: Initial Ruling

Ruling:

Owner: Miguel Perez having been duly notified and failed to appear, had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)non-appearance**, Miguel Perez's owner license, is hereby revoked pursuant to **New Mexico State Statute 60-1A-11 (C)**. Miguel Perez will be required to appear before the commission prior to licensure.

Reason For Denial:

New Mexico State Statute 60-1A-11 (C) which states, "A person issued or applying for an occupational license who has positive test results for a controlled substance or who has been convicted of a violation of a federal or state controlled substance law shall be denied a license or shall be subject to revocation of an existing license unless sufficient evidence of rehabilitation is presented to the commission.

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

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

15.2.3.8(B)(1)(e) Stewards Authority The stewards shall have the authority to amend, revoke, rescind or modify any ruling that they issued in error in accordance with the laws of this state and these rules.

16.47.1 K (1)(2)(3) License denial

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

16.47.1 L (3) Any license denied, suspended or revoked by the commission pursuant to these rules shall state the time period for the effect of its ruling. When the action is taken for a misdemeanor or felony conviction, the time period shall be the period of the licensee's or applicant's imprisonment; or if not imprisoned, the period of probation, deferral, unless the person can satisfy the commission of sufficient rehabilitation. This rule shall also apply to licensees who voluntarily turn in their license because of, or in anticipation of, a conviction.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority. 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. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500" **Last date to appeal September 29, 2020**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2020-DAA-45
Track Downs at Albuquerque
Ruling Date: 9/19/2020

Licensee: VALDEZ, INEZ
License Type: 2020 1 Year Groom Applicant Id: 12181
Date of Birth: 06/04/1982 License Number: 298412

Ruling # 2020-DAA-45

Action Type: Initial Ruling

Ruling:

Groom: Inez Valdez having been duly notified and failed to appear, had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, Inez Valdez's groom license, is hereby revoked pursuant to **New Mexico State Statute 60-1A-11 (C)**. Inez Valdez will be required to appear before the commission prior to licensure.

Reason For Denial:

New Mexico State Statute 60-1A-11 (C) which states, "A person issued or applying for an occupational license who has positive test results for a controlled substance or who has been convicted of a violation of a federal or state controlled substance law shall be denied a license or shall be subject to revocation of an existing license unless sufficient evidence of rehabilitation is presented to the commission.

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

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

15.2.3.8(B)(1)(e) Stewards Authority The stewards shall have the authority to amend, revoke, rescind or modify any ruling that they issued in error in accordance with the laws of this state and these rules.

16.47.1 K (1)(2)(3) License denial

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

16.47.1 L (3) Any license denied, suspended or revoked by the commission pursuant to these rules shall state the time period for the effect of its ruling. When the action is taken for a misdemeanor or felony conviction, the time period shall be the period of the licensee's or applicant's imprisonment; or if not imprisoned, the period of probation, deferral, unless the person can satisfy the commission of sufficient rehabilitation. This rule shall also apply to licensees who voluntarily turn in their license because of, or in anticipation of, a conviction.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority. 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. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500." **Last date to appeal September 29, 2020**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2020-DAA-46
Track Downs at Albuquerque
Ruling Date: 9/19/2020

Licensee: ALVIDREZ, AMINADAB
License Type: 2020 1 Year Groom Applicant Id: 32432
Date of Birth: 05/19/1990 License Number: 298740

Ruling # 2020-DAA-46

Action Type: Initial Ruling

Ruling:

Groom: Aminadab Alvidrez having been duly notified and failed to appear, had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d)non-appearance, Aminadab Alvidrez's groom license, is hereby revoked pursuant to **New Mexico State Statute 60-1A-11 (C)**. Aminadab Alvidrez will be required to appear before the commission prior to licensure.

Reason For Denial:

New Mexico State Statute 60-1A-11 (C) which states, "A person issued or applying for an occupational license who has positive test results for a controlled substance or who has been convicted of a violation of a federal or state controlled substance law shall be denied a license or shall be subject to revocation of an existing license unless sufficient evidence of rehabilitation is presented to the commission.

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

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

15.2.3.8(B)(1)(c) Stewards Authority The stewards shall have the authority to amend, revoke, rescind or modify any ruling that they issued in error in accordance with the laws of this state and these rules.

16.47.1 K (1)(2)(3) License denial

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

16.47.1 L (3) Any license denied, suspended or revoked by the commission pursuant to these rules shall state the time period for the effect of its ruling. When the action is taken for a misdemeanor or felony conviction, the time period shall be the period of the licensee's or applicant's imprisonment; or if not imprisoned, the period of probation, deferral, unless the person can satisfy the commission of sufficient rehabilitation. This rule shall also apply to licensees who voluntarily turn in their license because of, or in anticipation of, a conviction.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority. 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. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500." Last date to appeal September 29, 2020



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-47**
Track: Downs at Albuquerque
Ruling Date: 9/19/2020

Licensee: TORRES-CASAS, JUAN CESAR
License Type: 2020 1 Year Owner Applicant Id: 163207
Date of Birth: 08/05/1989 License Number: 299012

Ruling # 2020-DAA-47

Action Type: Initial Ruling

Ruling:

Owner: Juan Cesar Torres-Casas having been duly notified and failed to appear, had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)non-appearance**, Juan Cesar Torres-Casas's owner license, is hereby revoked pursuant to **New Mexico State Statute 60-1A-11 (C)**. Juan Cesar Torres-Casas will be required to appear before the commission prior to licensure.

Reason For Denial:

New Mexico State Statute 60-1A-11 (C) which states, "A person issued or applying for an occupational license who has positive test results for a controlled substance or who has been convicted of a violation of a federal or state controlled substance law shall be denied a license or shall be subject to revocation of an existing license unless sufficient evidence of rehabilitation is presented to the commission.

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

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

15.2.3.8(B)(1)(e) Stewards Authority The stewards shall have the authority to amend, revoke, rescind or modify any ruling that they issued in error in accordance with the laws of this state and these rules.

16.47.1 K (1)(2)(3) License denial

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

16.47.1 L (3) Any license denied, suspended or revoked by the commission pursuant to these rules shall state the time period for the effect of its ruling. When the action is taken for a misdemeanor or felony conviction, the time period shall be the period of the licensee's or applicant's imprisonment; or if not imprisoned, the period of probation, deferral, unless the person can satisfy the commission of sufficient rehabilitation. This rule shall also apply to licensees who voluntarily turn in their license because of, or in anticipation of, a conviction.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority. 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. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500" **Last date to appeal September 29, 2020**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-48**
Track Downs at Albuquerque
Ruling Date: 9/19/2020

Licensee: REYES-GARCIA, MANUEL A
License Type: 2020 1 Year Groom Applicant Id: 32928
Date of Birth: 06/18/1989 License Number: 298652

Ruling # 2020-DAA-48

Action Type: Initial Ruling

Ruling:

Groom: Manuel Reyes-Garcia having been duly notified and failed to appear, had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)non-appearance**, Manuel Reyes-Garcia's groom license, is hereby revoked pursuant to **New Mexico State Statute 60-1A-11 (C)**. Manuel Reyes-Garcia will be required to appear before the commission prior to licensure.

Reason For Denial:

New Mexico State Statute 60-1A-11 (C) which states, "A person issued or applying for an occupational license who has positive test results for a controlled substance or who has been convicted of a violation of a federal or state controlled substance law shall be denied a license or shall be subject to revocation of an existing license unless sufficient evidence of rehabilitation is presented to the commission.

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

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

15.2.3.8(B)(1)(e) Stewards Authority The stewards shall have the authority to amend, revoke, rescind or modify any ruling that they issued in error in accordance with the laws of this state and these rules.

16.47.1 K (1)(2)(3) License denial

16.47.1 L (1)(a) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant: has been convicted of a felony

16.47.1 L (3) Any license denied, suspended or revoked by the commission pursuant to these rules shall state the time period for the effect of its ruling. When the action is taken for a misdemeanor or felony conviction, the time period shall be the period of the licensee's or applicant's imprisonment; or if not imprisoned, the period of probation, deferral, unless the person can satisfy the commission of sufficient rehabilitation. This rule shall also apply to licensees who voluntarily turn in their license because of, or in anticipation of, a conviction.

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

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

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500" **Last date to appeal September 29, 2020**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-49**
Track: Downs at Albuquerque
Ruling Date: 9/19/2020

Licensee: GUERRERO, LUIS A.

License Type: 2020 1 Year Jockey Applicant Id: 33468

Date of Birth: 05/07/1989 License Number: 298031

Ruling # 2020-DAA-49

Action Type: Initial Ruling

Ruling:

Jockey: Luis Guerrero was duly notified, failed to appear, and had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)non-appearance**, before the Board of Stewards on **September 16, 2020**, for failing to disclose **his complete** criminal history on his licensing application.

The Board of Stewards hereby fines **Luis Guerrero** in the amount of **One hundred dollars (\$100.00)**. The fine is to be paid on or before **October 19, 2020**, in accordance with 15.2.3.8 (B)(3)(l). Failure to pay the fine within the time prescribed may result in immediate suspension.

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

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

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/
15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. Last day for appeal September 29, 2020

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-50**
Track: Downs at Albuquerque
Ruling Date: 9/19/2020

Licensee: HENDERSON, BRYAN DEAN
License Type: Applicant Id: 10067
Date of Birth: 03/15/1953 License Number:

Ruling # 2020-DAA-50

Action Type: Initial Ruling

Ruling:

Owner: Bryan Dean Henderson was duly notified, and appeared by telephone before the Board of Stewards on **September 16, 2020**, for failing to disclose **his complete** criminal history on **his** licensing application.

The Board of Stewards hereby fines **Bryan Dean Henderson** in the amount of **One hundred dollars (\$100.00)**. The fine is to be paid on or before **October 19, 2020**, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of and this ruling is written in accordance with:
16.47.1.8 (L)(1)(d) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/
15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. Last day for appeal September 29, 2020

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-51**
Track: Downs at Albuquerque
Ruling Date: 9/20/2020

Licensee: CHAVEZ, LARRY CLIFFORD

License Type: 2019 3 Year Trainer Applicant Id: 15666
License Number: 296533

Ruling # 2020-DAA-51

Action Type: Initial Ruling

Ruling:

Trainer Larry Chavez was duly notified and waived his right to ten day notice and his disciplinary hearing before the Board of Stewards on September 19, 2020 regarding a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC). The certificate of analysis was for a confirmed positive for the therapeutic drug, Omeprazole Sulfide (class 5 penalty category D MINOR drug) found in test sample E397358 taken from the fourth place finisher "C C Moonflash" following the 5th race, on August 28, 2020 at the Downs of Albuquerque.

The certificate of analysis indicated a finding of Omeprazole Sulfide at 52.0 ng/ml \pm 1.6 ng/ml at 10 ng/ml in the blood, which exceeds the allowable limit of 10.0 ug/ml in the blood.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer Larry Chavez.

W.L and Dee Mooring, are the owners of record for the horse "Cc Moonflash",

For Larry Chavez's FIRST Class 5 (D) medication violation in a 365-day period, the Board of Stewards hereby issues a

1. A written warning letter, 15.2.6.9(B)(6)

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

15.2.3.8(B)(1)(3)(f)Stewards/ 15.2.6.9(C)(1)Medication Restrictions/ 15.2.6.9(B)Penalty Recommendations 15.2.6.9(C)(1-2-3) Prima Facie Evidence/15.2.6.9 (C)(3) PENALTY RECOMMENDATIONS 15.2.6.9 A (4)UNIFORM CLASSIFICATION GUIDELINES - /15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

By Order of The Downs at Albuquerque 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 #: **2020-DAA-52**
Track: Downs at Albuquerque
Ruling Date: 9/20/2020

Licensee: MOORING, W. L.

License Type: 2018 3 Year Owner Applicant Id: 23847
License Number: 290067

Ruling # 2020-DAA-52

Action Type: Initial Ruling

Ruling:

Owners W.L Mooring and Dee Mooring were duly notified and waived his right to ten day notice and his disciplinary hearing before the Board of Stewards on September 19, 2020 regarding a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC). The certificate of analysis was for a confirmed positive for the therapeutic drug, Omeprazole Sulfide (class 5 penalty category D MINOR drug) found in test sample E397358 taken from the fourth place finisher "C C Moonflash" following the 5th race, on August 28, 2020 at the Downs of Albuquerque.

The certificate of analysis indicated a finding of Omeprazole Sulfide at 52.0 ng/ml \pm 1.6 ng/ml at 10 ng/ml in the blood, which exceeds the allowable limit of 10.0 ug/ml in the blood.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer Larry Chavez.

Larry Chavez, is the trainer of record for the horse "Cc Moonflash",

For W.L Mooring and Dee Moorings' FIRST Class 5 (D) medication violation in a 365-day period, the Board of Stewards hereby issues a

1. A written warning letter, 15.2.6.9(B)(6)
2. There is no change to the official order of finish in the 5th race on August 28, 2020 at the Downs of Albuquerque Racetrack.

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

15.2.3.8(B)(1)(3)(f)Stewards/ 15.2.6.9(C)(1)Medication Restrictions/ 15.2.6.9(B)Penalty Recommendations 15.2.6.9(C)(1-2-3) Prima Facie Evidence/15.2.6.9 (C)(3) PENALTY RECOMMENDATIONS 15.2.6.9 A (4)UNIFORM CLASSIFICATION GUIDELINES - //15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

By Order of The Downs at Albuquerque 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 #: **2020-DAA-53**
Track: Downs at Albuquerque
Ruling Date: 9/20/2020

Licensee: **MOORING, DESIREE A**

License Type: 2018 3 Year Owner Applicant Id: 2035
License Number: 290097

Ruling # 2020-DAA-53

Action Type: Initial Ruling

Ruling:

Owners W.L Mooring and Dee Mooring were duly notified and waived his right to ten day notice and his disciplinary hearing before the Board of Stewards on September 19, 2020 regarding a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC). The certificate of analysis was for a confirmed positive for the therapeutic drug, Omeprazole Sulfide (class 5 penalty category D MINOR drug) found in test sample E397358 taken from the fourth place finisher "C C Moonflash" following the 5th race, on August 28, 2020 at the Downs of Albuquerque.

The certificate of analysis indicated a finding of Omeprazole Sulfide at 52.0 ng/ml \pm 1.6 ng/ml at 10 ng/ml in the blood, which exceeds the allowable limit of 10.0 ug/ml in the blood.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer Larry Chavez.

Larry Chavez, is the trainer of record for the horse "Cc Moonflash",

For W.L Mooring and Dee Moorings' FIRST Class 5 (D) medication violation in a 365-day period, the Board of Stewards hereby issues a

1. A written warning letter, 15.2.6.9(B)(6)
2. There is no change to the official order of finish in the 5th race on August 28, 2020 at the Downs of Albuquerque Racetrack.

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

15.2.3.8(B)(1)(3)(f)Stewards/ 15.2.6.9(C)(1)Medication Restrictions/ 15.2.6.9(B)Penalty Recommendations 15.2.6.9(C)(1-2-3) Prima Facie Evidence/15.2.6.9 (C)(3) PENALTY RECOMMENDATIONS 15.2.6.9 A (4)UNIFORM CLASSIFICATION GUIDELINES - //15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

By Order of The Downs at Albuquerque 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 #: **2020-DAA-54**
Track: Downs at Albuquerque
Ruling Date: 9/20/2020

Licensee: **MARQUEZ, ANGEL EMMANUEL**

License Type: **Applicant Id: 159532**
License Number:

Ruling # 2020-DAA-54

Action Type: Initial Ruling

Ruling:

Applicant Angel Emmanuel Marquez having applied for a Jockey's license on September 19, 2020 at the Downs of Albuquerque Racetrack is hereby denied pursuant to **16.47.1.12 (6)** which states, **An applicant whose weight exceeds 130 pounds at the time of application shall not be issued a jockey's license.** Applicant Angel Emmanuel Marquez may reapply at anytime so long as he meets all requirements of 16.47.1.12 NMAC.

Reason For Denial:

16.47.1.12 (6) which states, **An applicant whose weight exceeds 130 pounds at the time of application shall not be issued a jockey's license.** Angel Emmanuel Marquez was weighed by the Downs of Albuquerque Clerk of Scales on September 19, 2020 and weighed 140 pounds. Applicant Angel Emmanuel Marquez may reapply at anytime so long as he meets all requirements of 16.47.1.12 NMAC.

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

16.47.1 K (1)(2)(3) License denial

16.47.1 L (3) Any license denied, suspended or revoked by the commission pursuant to these rules shall state the time period for the effect of its ruling.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority. 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. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check." **Last date to appeal 9/30/2020**

By Order of The Downs at Albuquerque 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 #: **2020-DAA-55**
Track: Downs at Albuquerque
Ruling Date: 9/20/2020

Licensee: TAFOYA, IVAN PAUL

License Type: 2020 3 Year Owner Applicant Id: 16619
Date of Birth: 04/19/1963 License Number: 297832

Ruling # 2020-DAA-55

Action Type: Initial Ruling

Ruling:

Trainer: Ivan P. Tafoya, was duly notified, and appeared before the Board of Stewards on **September 20, 2020**. The hearing was in regard to **Ivan P. Tafoya** requesting his veterinarian Bruse Talsma to administer Lasix to entry "**Cruzin Byou**", which resulted in a late scratch from the **5th race on August 8, 2020, at The Downs at Albuquerque Racetrack**.

The Board of Stewards hereby fine **Ivan P. Tafoya** in the amount **of Two hundred dollars, (\$200.00)**. The fine is to be paid on or before **October 20, 2020**, 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.

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

**15.2.6.9(D)(2)(3)/15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1)(a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b):**

Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. **Final day for appeal 9/30/2020**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2020-DAA-56
Track Downs at Albuquerque
Ruling Date: 9/20/2020

Licensee: ALDRETE-BIZCARRA, HECTOR

License Type: 2019 3 Year Jockey Applicant Id: 35261
License Number: 292775

Ruling # 2020-DAA-56

Action Type: Initial Ruling

Ruling:

Jockey **Hector Aldrete**, was duly notified and failed to appear or send a representative before the Board of Stewards on **September 2, 2020**. The hearing was in regard to **Hector Aldrete's** excessive use of the whip on his mount **"Kiss B Rich"** in the **2nd race on August 30, 2020, at the Downs of Albuquerque**.

The Board of Stewards hereby fines **Hector Aldrete** in the amount of **five hundred dollars (\$500.00) for excessive use of the whip as well as a fine in the amount of one hundred dollars (\$100.00) for failing to appear or send a representative when summoned for a total fine of six hundred dollars (\$600.00)**. The fine is to be paid on or before **October 20, 2020** in accordance with **15.2.3.8(B)(3)(I) NMAC**. Failure to pay the fine within the time prescribed will result in immediate suspension.

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

15.2.5.13(E)(6)(e) Use of riding crops. **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.

16.47.1.8(U)(2)PROTECTION OF HORSES No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b):

By Order of The Downs at Albuquerque 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**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-58**
Track: Downs at Albuquerque
Ruling Date: 9/20/2020

Licensee: RAMIREZ, ESGAR

License Type: 2020 3 Year Jockey Applicant Id: 12647
Date of Birth: 06/07/1983 License Number: 297648

Ruling # 2020-DAA-58

Action Type: Initial Ruling

Ruling:

Jockey: Esgar Ramirez was duly notified, failed to appear, and had **his** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)non-appearance**, before the Board of Stewards on **September 20, 2020**. The hearing was in regard to **Esgar Ramirez's** use of disrespectful language, towards the Stewards, **twice** while on the phone after the 5th race on August 30, 2020 at The Downs at Albuquerque.

The Board of Stewards hereby fines **Esgar Ramirez** in the amount of **Five hundred dollars (\$500.00) for the first offence and One thousand for the second offence**. The fines are to be paid on or before **October 20, 2020**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

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

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

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500." **Last day of appeal: 9/30/2020**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2020-DAA-59**
Track Downs at Albuquerque
Ruling Date: 9/20/2020

Licensee: NEGRON, LUIS A

License Type: 2020 1 Year Jockey Applicant Id: 161905
License Number: 298249

Ruling # 2020-DAA-59

Action Type: Initial Ruling

Ruling:

Jockey Luis Negrón was summoned and appeared before the Board of Stewards on September 20, 2020, for failure to make sufficient effort to maintain his lane while aboard "Articulator", in the 10th race on September 19, 2020, at The Downs of Albuquerque Racetrack.

The Board of Stewards hereby fines Luis Negrón in the amount of two hundred and fifty dollars, (\$250.00). The fine is to be paid on or before October 20, 2020 in accordance with 15.2.3.8 (B)(3)(k). Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found in violation of:

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

15.2.5.13(E)(3)(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."

This ruling is written in accordance with:

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

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

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The Downs at Albuquerque 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 #: **2020-DAA-60**
Track: Downs at Albuquerque
Ruling Date: 9/20/2020

Licensee: LEVARIO, JESSE LEE

License Type: 2018 3 Year Jockey Applicant Id: 32734
License Number: 292232

Ruling # 2020-DAA-60

Action Type: Initial Ruling

Ruling:

Jockey **Jesse Lee Levario**, was duly notified and failed to appear or send a representative before the Board of Stewards on **September 20, 2020**. The hearing was in regard to **Jesse Lee Levario's** excessive use of the whip on his mount **"Woman in Redd"** in the **1st race on September 19, 2020, at the Downs of Albuquerque.**

The Board of Stewards hereby fines **Jesse Lee Levario** in the amount of **five hundred dollars (\$500.00) for excessive use of the whip as well as a fine in the amount of one hundred dollars (\$100.00) for failing to appear or send a representative when summoned for a total fine of six hundred dollars (\$600.00).** The fine is to be paid on or before **October 20, 2020** in accordance with **15.2.3.8(B)(3)(I) NMAC**. Failure to pay the fine within the time prescribed will result in immediate suspension.

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

15.2.5.13(E)(6)(e) Use of riding crops. 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.

16.47.1.8(U)(2) PROTECTION OF HORSES No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a) Failure to Appeal/ 15.2.1.9(B)(9)(b):

By Order of The Downs at Albuquerque 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 #: **2020-DAA-61**
Track: Downs at Albuquerque
Ruling Date: 9/21/2020

Licensee: RUIZ, JOSE DANIEL

License Type: 2018 3 Year Jockey Applicant Id: 32886
License Number: 292085

Ruling # 2020-DAA-61

Action Type: Initial Ruling

Ruling:

Jockey Jose Daniel Ruiz, was duly notified and appeared before the Board of Stewards on September 20, 2020. The hearing was in regard to Jose Daniel Ruiz's excessive use of the whip on his mount "Daddies Lil Darlin" during the running of the 2nd race on September 19, 2020, at the Downs of Albuquerque.

The Board of Stewards hereby fines Jose Daniel Ruiz in the amount of five hundred dollars (\$500.00). The fine is to be paid on or before October 21, 2020, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

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

15.2.5.13(E)(6)(e) Use of riding crops. 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.

16.47.1.8(U)(2) PROTECTION OF HORSES No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care

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

15.2.1.9(B)(4)(A) Notice of hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2)

License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/

15.2.1.9(B)(9)(b): Appeal Procedures

By Order of The Downs at Albuquerque 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.