



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-DAA-4**
Track: Downs at Albuquerque
Ruling Date: 9/26/2024

Licensee: RUIZ, JOSE DANIEL
License Type: 2021 3 Year Jockey Applicant Id: 32886
License Number: 303137

Ruling # 2024-DAA-4

Action Type: Initial Ruling

Ruling:

Jockey Jose Ruiz having been duly notified and having appeared before the DAA Board of Stewards on September 26, 2024, for excessive use of whip, while aboard #5 "Moon Candy" in the 1st Race September 25, 2024, at The Downs at Albuquerque.

For this violation, the Board of Stewards issued the following:

Jose Ruiz (1st offense) a fine in the amount of Five Hundred Dollars. (\$500.00). This fine is to be paid on or before October 10, 2024, in accordance with NMAC 15.2.1.9 (A)(7)(f). Failure to pay the fine in the prescribed time shall result in an immediate suspension.

Licensee is found to be in violation of NMAC:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

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.

This ruling is written in accordance with NMAC:

15.2.1.9(A)(4)(a) Notice

15.2.1.9 (A)(c) Last Known Address

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

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



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License Type: 2021 3 Year Jockey Applicant Id: 32886
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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 \$400. The fee must be in the form of a cashier's check, money order." The last day to file an appeal is October 6, 2024.



By Order of The Downs at Albuquerque Stewards



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Ruling #: **2024-DAA-5**
Track: Downs at Albuquerque
Ruling Date: 9/27/2024

Licensee: NAVARRO, PAOLA L
License Type: 2023 1 Year Groom Applicant Id: 165746
License Number: 310146

Ruling # 2024-DAA-5

Action Type: Initial Ruling

Ruling:

Groom Paola Navarro opted to waive her summary suspension hearing, 10-day notice, and disciplinary hearing before the board of stewards of The Downs at Albuquerque Racetrack on September 27, 2024 at 9:00am in this matter. Failing a drug test which was positive for THC on September 26, 2024.

The Board of Stewards determined mitigating/Aggravating factors:

- First Offense

The Board of Stewards hereby assesses a penalty as follows:

1. A 15-day (Fifteen) suspension beginning September 27, 2024, through October 12, 2024.
In accordance with 15.2.1.9 (C)(21), Groom Paola Navarro is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC. Before being reinstated must pass a drug test on or after October 12, 2024.

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

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

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

on reasonable suspicion that the person is using drugs or alcohol or is based 16.47.1.17 (C)(6) Human Drug Testing/ Restricted Activities It shall be an offense to exercise the privileges granted by a license from this commission if the licensee: refuses to submit to urine or drug testing, when notified that such testing is based on a random drug testing procedure, is based on the licensee's acting as if in an impaired condition.

16.47.1.18 NMRC will be followed. B. First-time offenders: (1) The board of stewards or the commission may, at its discretion, order the licensee to obtain a professional assessment to determine whether there is a substantial probability that the licensee is dependent on, or abuses, alcohol or other drugs or the board of stewards or the commission may act on the information at hand

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

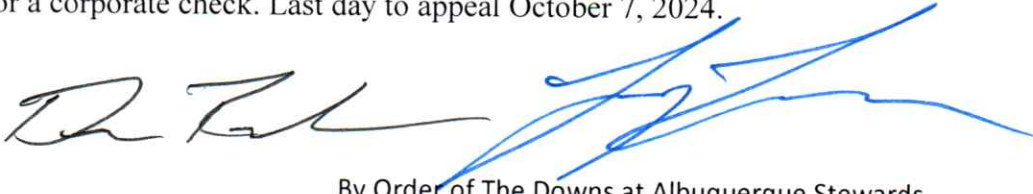


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Ruling #: **2024-DAA-5**
Track: Downs at Albuquerque
Ruling Date: 9/27/2024

Licensee: NAVARRO, PAOLA L
License Type: 2023 1 Year Groom Applicant Id: 165746
License Number: 310146

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 \$400. The fee must be in the form of a money order, cashier's check or a corporate check. Last day to appeal October 7, 2024.



By Order of The Downs at Albuquerque Stewards



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Ruling #: **2024-DAA-6**
Track: Downs at Albuquerque
Ruling Date: 9/27/2024

Licensee: NAVARRO, ANTONIO
License Type: 2023 1 Year Exercise P Applicant Id: 165745
License Number: 310145

Ruling # 2024-DAA-6

Action Type: Initial Ruling

Ruling:

Exercise Person Antonio Navarro opted to waive his summary suspension hearing, 10-day notice, and disciplinary hearing before the board of stewards of The Downs at Albuquerque Racetrack on September 27, 2024 at 9:00am in this matter. Failing a drug test which was positive for THC on September 26, 2024.

The Board of Stewards determined mitigating/Aggravating factors:

- First Offense

The Board of Stewards hereby assesses a penalty as follows:

1. A 15-day (Fifteen) suspension beginning September 27, 2024, through October 12, 2024. In accordance with 15.2.1.9 (C)(21), Exercise Person Antonio Navarro is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC. Before being reinstated must pass a drug test on or after October 12, 2024.

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

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

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

on reasonable suspicion that the person is using drugs or alcohol or is based 16.47.1.17 (C)(6) Human Drug Testing/ Restricted Activities It shall be an offense to exercise the privileges granted by a license from this commission if the licensee: refuses to submit to urine or drug testing, when notified that such testing is based on a random drug testing procedure, is based on the licensee's acting as if in an impaired condition.

16.47.1.18 NMRC will be followed. B. First-time offenders: (1) The board of stewards or the commission may, at its discretion, order the licensee to obtain a professional assessment to determine whether there is a substantial probability that the licensee is dependent on, or abuses, alcohol or other drugs or the board of stewards or the commission may act on the information at hand

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

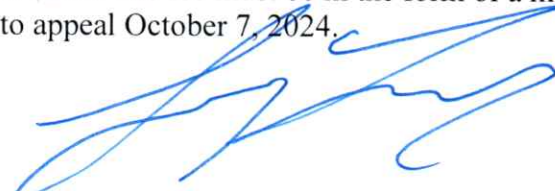



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Ruling #: **2024-DAA-6**
Track: Downs at Albuquerque
Ruling Date: 9/27/2024

Licensee: NAVARRO, ANTONIO
License Type: 2023 1 Year Exercise P Applicant Id: 165745
License Number: 310145

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 \$400. The fee must be in the form of a money order, cashier's check or a corporate check. Last day to appeal October 7, 2024.



By Order of The Downs at Albuquerque Stewards



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Ruling #: **2024-DAA-7**
Track: Downs at Albuquerque
Ruling Date: 9/27/2024

Licensee: ACOSTA, GABRIEL MORALES
License Type: 2023 3 Year Trainer Applicant Id: 10183
License Number: 308985

Ruling # 2024-DAA-7

Action Type: Initial Ruling

Ruling:

Trainer Gabriel M Acosta having been properly summoned and having appeared telephonically before The Downs at Albuquerque Board of Stewards on September 27, 2024, waived his right to a 10-day notice and formal disciplinary hearing for his horse "My Darling" who was late to the paddock for the 1st race on September 26, 2024, necessitating a late scratch and pari - mutuel refunds at The Downs At Albuquerque Racetrack. Pursuant to Rule 15.2.4.8(C)(1) Any horse entered in a claiming race that is not present in the paddock at least 10 minutes to post will be scratched.

The Board of Stewards hereby assess the following penalty:

1. A fine of Five Hundred Dollars (\$500.00) which must be paid on or before October 11, 2024, in accordance with 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time shall result in an immediate suspension. Pursuant to Rule 15.2.1.9 (A)(7)(f) All fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

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

- 15.2.1.9 A (4)(c) Last Known Address
- 15.2.1.9.A (8)(c) Due Process Disiplinary Action
- 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
- 15.2.1.9(B)(9)(A) FAILURE TO APPEAL 15.2.1.9(B)(9)(B): APPEAL PROCEDURES, which states "An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to 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 \$400.00 dollars. The fee must be in the form of a cashier's check or a money order. The last day to file an appeal is October 7, 2024.



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Ruling #: **2024-DAA-8**
Track: Downs at Albuquerque
Ruling Date: 9/28/2024

Licensee: STEWART, DONALD RAY
License Type: 2024 1 Year Jockey Ag Applicant Id: 7788
License Number: 313306

Ruling # 2024-DAA-8

Action Type: Initial Ruling

Ruling:

Jockey Agent DONALD RAY STEWART having appeared telephonically before The Downs at Albuquerque Board of Stewards on 9/27/2024 for failure to conduct his jockey agent business properly; (Stewart accepted calls for Bryan Candanosa that were entered for racing on September 27, 2024, at The Downs at Albuquerque and Lone Star Park causing a late rider change in race #2 at The Downs at Albuquerque . Donald Stewart accepted full responsibility.

Licensee is found to be in violation of:

15.2.5.13 (C)(1) (3) Jockey requirements: (1) Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all their riding engagements of the day have been fulfilled except as approved by the stewards.

(3) Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the stewards. Failure to fulfill riding engagements may result in disciplinary action.

16.47.1.13(C) NMAC: Which states in pertinent part "All persons permitted to make riding engagements shall maintain current and accurate records of all engagements made, such records being subject to examination by the Stewards at any time

For this violation:

The Downs at Albuquerque Board or Stewards hereby assess the following penalty:
A fine of Two Hundred Fifty Dollars (\$250.00), which must be paid on or before October 11, 2024, in accordance with NMAC 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the time prescribed time may result in immediate suspension. Pursuant to NMAC Rule 15.2.1.9. (A) (7)(f) all fines imposed by the Stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

This ruling is written in accordance with NMAC:

15.2.1.9. (A)(c) Last Known Address
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



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Ruling #: **2024-DAA-8**
Track: Downs at Albuquerque
Ruling Date: 9/28/2024

Licensee: STEWART, DONALD RAY

License Type: 2024 1 Year Jockey Ag Applicant Id: 7788
License Number: 313306

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

15.2.1.9(A)(9)(a) FAILURE TO APPEAL 15.2.1.9(B)(9)(B): APPEAL PROCEDURES, which states "An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to 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 \$400.00 dollars. The fee must be in the form of a cashier's check or a money order. The last day to file an appeal is October 7, 2024.

By Order of The Downs at Albuquerque Stewards



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Albuquerque, NM 87113

Ruling #: **2024-DAA-9**
Track: Downs at Albuquerque
Ruling Date: 9/28/2024

Licensee: ENRIQUEZ, JOSE LUIS

License Type: 2023 3 Year Jockey Applicant Id: 86484
License Number: 309500

Ruling # 2024-DAA-9

Action Type: Initial Ruling

Ruling:

Jockey **Jose Enriquez** having appeared telephonically before The Downs at Albuquerque Board of Stewards on September 28, 2024, for failure to honor or and be excused from his riding engagement for the 2nd,3rd and the 4th race on Saturday September 29, 2024, at The Downs at Albuquerque Racetrack.

For this violation, the Board of Stewards assess jockey **Jose Enriquez** a fine in the amount of Two Hundred and Fifty dollars, \$250.00. The fine is to be paid on or before October 12, 2024, in accordance with 15.2.3.8 (B) (3) (1). Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13 (C)(1) (3) Jockey requirements: (1) Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all their riding engagements of the day have been fulfilled except as approved by the stewards.

(3) Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the stewards. Failure to fulfill riding engagements may result in disciplinary action.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) NMAC Notice Except as provided by these rules regarding summary suspension, jockey riding infractions and trial races, the stewards or a racing commission designee shall provide written notice, at least 10 days before the hearing, to a person who is the subject of a disciplinary hearing. The person may waive their right to 10 days' notice by executing a written waiver.

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



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Ruling #: **2024-DAA-9**
Track: Downs at Albuquerque
Ruling Date: 9/28/2024

Licensee: ENRIQUEZ, JOSE LUIS

License Type: 2023 3 Year Jockey Applicant Id: 86484
License Number: 309500

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 \$400. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is October 8, 2024.**

By Order of The Downs at Albuquerque Stewards



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Ruling #: **2024-DAA-10**
Track: Downs at Albuquerque
Ruling Date: 9/28/2024

Licensee: VALENZUELA, ERIC
License Type: 2022 3 Year Trainer Applicant Id: 163129
License Number: 305279

Ruling # 2024-DAA-10

Action Type: Initial Ruling

Ruling:

Trainer Eric Valenzuela having been duly notified and having responded via telephone to the The Downs at Albuquerque Board of Stewards on September 28, 2024, waived his right to a 10-day notice and formal hearing, for failure to have a flipping halter on his entry #4 "Prodigium" for the 8th race on September 27, 2024, at the The Downs at Albuquerque Board necessitating a late scratch and pari-mutuel refunds.

The Board of Stewards hereby issue the following penalty:

1.A fine of Five Hundred Dollars (\$500.00) which must be paid on or before October 12, 2024, In accordance with NMAC 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to Rule NMAC 15.2.1.9 A(7) (f) all fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

Licensee is found to be in violation of NMAC:

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.

15.2.5.8 (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.

15.2.6.11(E)(11) Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment, and shoes.

16.47.1.10 TRAINER RESPONSIBILITY (C) Other Responsibility (C)(17)(20)

This ruling is written in accordance with NMAC:

15.2.1.9. (A)(4)(c) Last Known Address.

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)(9)(b): Appeal Procedures, which states "An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to the next day that is not a Saturday, Sunday, or legal



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Ruling #: **2024-DAA-10**
Track: Downs at Albuquerque
Ruling Date: 9/28/2024

Licensee: VALENZUELA, ERIC
License Type: 2022 3 Year Trainer Applicant Id: 163129
License Number: 305279

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 \$400.00 dollars. The fee must be in the form of a cashier's check or a money order. The last day to file is October 8, 2024.



By Order of The Downs at Albuquerque Stewards