



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-DAA-21**
Track: Downs at Albuquerque
Ruling Date: 10/16/2024

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

Ruling # 2024-DAA-21

Action Type: Initial Ruling

Ruling:

Jockey Agent DONALD RAY STEWART having appeared telephonically before The Downs at Albuquerque Board of Stewards on 10/16/2024 for failure to conduct his jockey agent business properly; (Stewart accepted calls for Francisco Calderon that were entered for racing on October 5, 2024, at The Downs at Albuquerque and Lone Star Park causing a late rider change in race 6 (#5 Jess a Spittin Candy) 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

Aggravating Factors:

1)2nd time for this violation within a month.

For this violation:

The Downs at Albuquerque Board or Stewards hereby assess the following penalty:
A fine of Two Hundred Fifty Dollars (\$500.00), which must be paid on or before October 30 , 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



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Licensee: STEWART, DONALD RAY

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

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(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 26, 2024.

By Order of The Downs at Albuquerque Stewards

RULING

2024-DAA-22

NOT

ISSUED



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-DAA-23**
Track: Downs at Albuquerque
Ruling Date: 10/16/2024

Licensee: MERAZ, JUAN RAMON

License Type: 2021 3 Year Trainer Applicant Id: 30670
License Number: 303176

Ruling # 2024-DAA-23

Action Type: Initial Ruling

Ruling:

Trainer Juan Meraz having been properly summoned and having appeared before The Downs at Albuquerque Board of Stewards on October 10th, 2024, regarding working unlicensed help in the Paddock on October 9th, 2024.

The Board of Stewards hereby assess the following penalties:

1. Trainer Juan Meraz is hereby fined \$250.00. (Two Hundred Fifty Dollars). The Fine must be paid on or before October 20th, 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.

This ruling in written in accordance with:

16.47.1.8 GENERAL PROVISIONS: G. Employer responsibility:
(1) The employment of any unlicensed person under the jurisdiction of the commission is prohibited.
15.2.2.8 ASSOCIATIONS: A. General duty
15.2.3.8 B.1 (3)(a)(b)(d)(e). Stewards General Authority
15.2.3.8 B (3)(a)(g)(h) Stewards Disciplinary Action
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) (2) License Required
16.47.1.8 (T) Knowledge of Rules
15.2.1.9 B(4)(c) Last Known Address
15.2.1.9(B)(9)(a)(b) APPEALS

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 20, 2024.



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Ruling #: **2024-DAA-24**
Track: Downs at Albuquerque
Ruling Date: 10/17/2024

Licensee: **HERNANDEZ-ORTEGA, REFUGIO**
License Type: 2024 1 Year Groom Applicant Id: 1784
License Number: 313546

Ruling # 2024-DAA-24
Action Type: Initial Ruling
Ruling:

Groom Refugio Hernandez-Ortega, having been giving an New Mexico Racing Commission Citation and appeared before the DAA Board of Stewards on October 17, 2024, regarding a physical altercation in the stable area at the DAA on October 16, 2024.

The Board of Stewards hereby assesses a penalty as follows:

1. A fine of Two Hundred Fifty Dollars (\$250.00) which must be paid on or before October 31, 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.

Licensee is found in violation and this ruling is written in accordance with: 16.47.1.8(L)(i)
(L). Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license:

(i) 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;

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. 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 (R) 1 and 3 License presentation

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,



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Ruling #: **2024-DAA-24**
Track: Downs at Albuquerque
Ruling Date: 10/17/2024

Licensee: HERNANDEZ-ORTEGA, REFUGIO
License Type: 2024 1 Year Groom Applicant Id: 1784
License Number: 313546

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 cashier's check, or money order." **Last date for appeal: October 17th, 2024.**



By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-DAA-25**
Track: Downs at Albuquerque
Ruling Date: 10/17/2024

Licensee: **BARTON, DALLAS JAY**
License Type: **2022 3 Year Trainer** Applicant Id: **18739**
License Number: **303679**

Ruling # 2024-DAA-25

Action Type: Initial Ruling

Ruling:

Trainer Dallas Barton, having been giving an New Mexico Racing Commission Citation and appeared before the DAA Board of Stewards on October 17, 2024, regarding a physical altercation in the stable area at the DAA on October 16, 2024.

The Board of Stewards hereby assesses a penalty as follows:

1. A fine of Two Hundred Fifty Dollars (\$250.00) which must be paid on or before October 31, 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.

Licensee is found in violation and this ruling is written in accordance with: 16.47.1.8(L)(i)

(L). Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license:

(i) 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;

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. 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 (R) 1 and 3 License presentation

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,



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Ruling #: **2024-DAA-25**
Track Downs at Albuquerque
Ruling Date: 10/17/2024

Licensee: BARTON, DALLAS JAY

License Type: 2022 3 Year Trainer Applicant Id: 18739
License Number: 303679

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 cashier's check, or money order." **Last date for appeal: October 17th, 2024.**

By Order of The Downs at Albuquerque Stewards



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Ruling #: **2024-DAA-26**
Track: Downs at Albuquerque
Ruling Date: 10/17/2024

Licensee: TAYLOR, M HEATH
License Type: 2022 3 Year Trainer Applicant Id: 3446
License Number: 305068

Ruling # 2024-DAA-26

Action Type: Initial Ruling

Ruling:

Trainer M. Heath Taylor is hereby summarily suspended, effective October 18, 2024, pending the outcome of his summary suspension hearing scheduled for October 23, 2024, at 9:00 A.M. in the office of the Board of Stewards at The Downs of Albuquerque (108 California Rd., Albuquerque NM 87108), per Rule 15.2.1.9 (A)(3)(a) (Summary Suspension). The summary suspension is regarding the fact that a total of twenty-one (21) horses also in his care, custody, and control have either died or been euthanized because they were infected with Equine Infectious Anemia (EIA), a highly contagious and potentially deadly viral infection for which there is no cure.

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

(i) 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...."

In accordance with Rule 15.2.1.9 (B)(21)(a)(b), M. Heath Taylor 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 M. Heath Taylor are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9(B)(21) (c). NMSA 1978, Section 60-1A-4(A) provides "The commission may exclude or compel the exclusion of a person from all horse racetracks who the commission deems detrimental to the best interests of horse racing..."

This Ruling is written in accordance with NMAC:
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.



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Ruling #: **2024-DAA-26**
Track: Downs at Albuquerque
Ruling Date: 10/17/2024

Licensee: TAYLOR, M HEATH
License Type: 2022 3 Year Trainer Applicant Id: 3446
License Number: 305068

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
- 15.2.6.9 NMAC. Penalty Recommendations
- 16.47.1.3 Statutory Authority
- 16.47.1.8 (A)(1)(2) License Required
- 16.47.1.8(N) Changes in Application

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-DAA-27**
Track: Downs at Albuquerque
Ruling Date: 10/18/2024

Licensee: GOMEZ BARRAZA, DAVID MANUEL

License Type: 2024 3 Year Trainer Applicant Id: 45722
License Number: 313000

Ruling # 2024-DAA-27

Action Type: Initial Ruling

Ruling:

Trainer David Manuel Gomez Barraza, having been duly notified and having waived his 10-day notice and formal hearing appeared before the Board of Stewards at The Downs at Albuquerque on October 18th 2024, regarding a medication violation on September 20th, at DAA racetrack, involving the fourth-place finisher of the 5th race, "Why Not Me 2", for Dexamethasone, a Class 4 Penalty C drug, found in blood sample #E537753, confirmed by Industrial Laboratories (the official lab for the NMRC).

Trainer David Gomez Barraza and owner Antonio Garcia Jr. were offered a split sample test and declined.

For this violation (first offense 365-day period) the Board of Stewards issues the following penalties:

1. A fine of One Thousand Dollars (\$1,000.00) which must be paid on or before November 1st, 2024, in accordance with NMAC 15.2.3.8 (B)(3)(e). Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to 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.

In addition, and pursuant to Rule 15.2.6.9(B)(1-7), trainer David Gomez Barraza has accumulated a total of "1/2 point" for this violation.

Licensee is found in violation of NMAC:

NMAC 15.2.6.9 B (3) Medications and Prohibited Substances,
NMAC 15.2.6.11 A. Trainer Responsibility, NMAC 16.47.1.8.U. (1) Protection of Horses,
NMAC 16.47.1.10 B. (1-3) Absolute Insurer and NMAC 16.47.1.8. T. Knowledge of Rules

This ruling is written in accordance with NMAC:

15.2.1.9(A)(4)(a) Notice
15.2.1.9 (A)(4)(c) Last Known Address
15.2.3.8 B (3)(e) 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 (L)(1) Grounds for Disciplinary Measures
16.47.1.8. T. Knowledge of Rules
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required




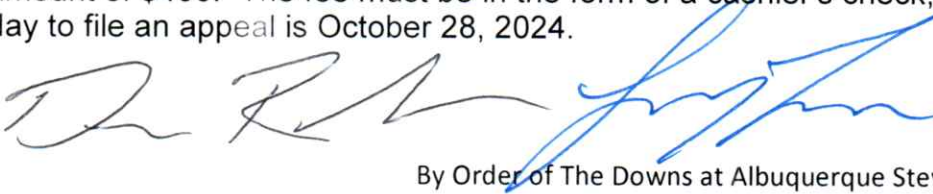
New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-DAA-27**
Track: Downs at Albuquerque
Ruling Date: 10/18/2024

Licensee: GOMEZ BARRAZA, DAVID MANUEL
License Type: 2024 3 Year Trainer Applicant Id: 45722
License Number: 313010

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 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 28, 2024.



By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-DAA-28**
Track: Downs at Albuquerque
Ruling Date: 10/18/2024

Licensee: CARRASCO, FELIPE VALENZUELA
License Type: Applicant Id: 165024
License Number:

Ruling # 2024-DAA-28
Action Type: Initial Ruling
Ruling:
Issued in error

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-DAA-29**
Track: Downs at Albuquerque
Ruling Date: 10/18/2024

Licensee: **GARCIA, JR ANTONIO**
License Type: 2022 3 Year Owner Applicant Id: 158822
License Number: 305444

Ruling # 2024-DAA-29

Action Type: Initial Ruling

Ruling:

Owner Antonio Garcia Jr., having been represented by trainer David Gomez Barraza and having been duly notified, waived his 10-day notice and formal hearing and appeared before the Board of Stewards at The Downs at Albuquerque on October 18th, 2024 regarding a confirmed positive test for Dexamethasone, a Class 4, Penalty C drug, by Industrial Laboratory, the official laboratory of the NMRC, for sample #E537753 (Blood) on the horse "Why Not Me 2" who placed 4th in the 5th race held at DAA NM on September 20th, 2024.

Split sample testing rights were afforded to trainer David Gomez Barraza and owner Antonio Garcia Jr. and were declined.

Mr. David Gomez Barraza was the trainer of record on September 20th, 2024

In accordance with Rule 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Owner Antonio Garcia Jr's. first Class 4 Penalty C drug medication violation in a 365-day period.

15.2.5.14 D. (7) Protests, Objections and Inquiries: The stewards may order any purse, award or prize for any race withheld from distribution pending the determination of any protest. In the event any purse, award or prize has been distributed to an owner or for a horse which by reason of a protest or other reason is disqualified or determined to be not entitled to such purse, award or prize, the stewards or the commission may order such purse, award or prize returned and redistributed to the rightful owner or horse. Any person who fails to comply with an order to return any purse, award or prize erroneously distributed shall be subject to fines and suspension.

The Ruidoso Downs Board of Stewards hereby issue the following penalty:

The purse redistribution is as follows:

- 1) KJ BAD MOON RISING
- 2) NADIR
- 3) STORMIN CARTEL
- 4) EYE IM FLASHIN
- 5) JESS A CARTEL CHICK
- 6) RUNAWAY RIMES
- 7) HEZADASHINVIKE
- 8) CHIMES EFFORT
- 9) ALAMOS

"Why Not Me 2" is hereby disqualified and unplaced for all but pari-mutuel wagering purposes.

The horse "Why Not Me 2" must pass a commission approved examination before being eligible to enter.



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Ruling #: **2024-DAA-29**
Track: Downs at Albuquerque
Ruling Date: 10/18/2024

Licensee: GARCIA, JR ANTONIO
License Type: 2022 3 Year Owner Applicant Id: 158822
License Number: 305444

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

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 \$400.00. The fee must be in the form of a cashier's check, money order." The last day to file an appeal: August 6, 2024.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-DAA-30**
Track: Downs at Albuquerque
Ruling Date: 10/27/2024

Licensee: SALAZAR, MICHELLE MEYER
License Type: 2024 1 Year Outrider Applicant Id: 21092
License Number: 311736

Ruling # 2024-DAA-30

Action Type: Initial Ruling

Ruling:

Michelle Salazar license as Outrider is hereby rescinded as of October 27, 2024 without prejudice as she no longer works in this capacity.

This ruling is written in accordance with NMAC:

15.2.3.8 (B)(1) Stewards General Authority

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.

16.47.1.8 (A)(1)(2) General Provisions

16.47.1.8 (A)(N)(1) License Required

16.47.1.8 (T) Knowledge of Rules

By Order of The Downs at Albuquerque Stewards