



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-NMS-13**
Track: New Mexico State Fair
Ruling Date: 9/6/2024

Licensee: MUNOZ, JR GUADALUPE
License Type: 2023 3 Year Trainer Applicant Id: 21993
License Number: 308633

Ruling # 2024-NMS-13

Action Type: Final Outcome

Ruling:

RE: 2024-NMS-13 - Ruling Final Outcome

Trainer Guadalupe Munoz, having been duly notified for his disciplinary hearing and having appeared before the Sunland Park Board of Stewards at 9:00 a.m. on January 24, 2025, regarding a confirmed positive test for Albuterol, a Class 3, Penalty A drug, by Industrial Laboratory, the official laboratory of the NMRC, for sample #E547540 (Urine) on the horse "Valentino Four King" who finished 1st in the 12th race, QH Allowance Race on August 18th, 2024, at Ruidoso Downs (At DAA) Racetrack in Albuquerque New Mexico.

Split sample testing rights were afforded to both trainer Mr. Guadalupe Munoz and owner Mr. Rafael Herrera. Pursuant to Rule 15.2.6.10(D)(2). A split sample was sent to U C Davis and confirmed positive for Albuterol on January 3, 2025. (Sample #E547540)

This hearing involves the following Commission Rules, whether Mr. Guadalupe Munoz has violated any such Rules and, if so, whether a penalty or other disciplinary action should be imposed upon him as a result:

Rule 15.2.6.9(C)(1)(4)(8)(9)(10)(a)(c) Medication Restrictions

Rule 15.2.6.11(A)(B) Trainer Responsibility

Rule 16.47.1.8(T) Knowledge of Rules

Rule 16.47.1.8(U) Protection of Horses

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

Aggravating factors:

1. There is zero tolerance for the drug Albuterol in a horse.
2. Prior medication violations

For this violation (First offense in a 365-day period), the following penalties are imposed:

1. Mr. Guadalupe is hereby fined \$15,000.00 (Fifteen-Thousand Dollars). The fine is to be paid on or before February 7, 2025, in accordance with Rule 15.2.1.9(A)(7)(f). Failure to pay the fine in the prescribed time shall result in an immediate suspension.

2. Mr. Guadalupe Munoz shall have his trainer's license suspended for a period of one (1) year and 6 months. The term of suspension shall start retroactive from the date of his Summary Suspension, September 6, 2024, and run through March 5, 2026. In order to be restored to good standing, Mr. Guadalupe Munoz shall be required to take and pass all sections of the New Mexico Racing



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Commission written Trainers Test. Failure to pass all sections in accordance with Rule 16.47.1.10(A)(1-9) will result in the revocation of his license.

3. Mr. Guadalupe Munoz has accumulated "3" points prior to this infraction and "6" points in connection with this Ruling for a current total of "9" points under the multiple medication violation point system. Therefore, Mr. Guadalupe Munoz shall receive an additional ninety (90) days to his period of suspension, meaning the period of suspension shall end on June 3, 2026.

In accordance with Rule 15.2.1.9(B)(21), Mr. Guadalupe Munoz will be excluded from all areas and grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care of Mr. Guadalupe Munoz are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9(B)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Mr. Guadalupe Munoz must be done in accordance with Rule 15.2.6.9(A)(13)(a)(b).

This Ruling is written in accordance with the following Commission Rules:

- Rule 15.2.3.8(B)(1)(a)(c)(d)(e) Stewards General Authority;
- Rule 15.2.1.9(A)(1)(4)(b)(c)(d) Due Process and Disciplinary Action;
- Rule 15.2.1.9(B)(21)(c) Horse Ineligibility;
- Rule 15.2.5.13(E)(4)(d) Running of the Race; Disqualification;
- Rule 15.2.6.9(C)(1)(4) Medication Restrictions;
- Rule 15.2.6.9 NMAC Penalty Recommendations;
- Rule 15.2.6.10(A) Trainer Responsibility;
- Rule 16.47.1.3 Statutory Authority;
- Rule 16.47.1.8 (A)(1) License Required;
- Rule 16.47.1.8 (A)(2) License Required;
- Rule 16.47.1.8 U Protection of horses;
- Rule 16.47.1.10 B (1-3) Absolute Insurer.

Licensee's Right to Appeal: Rule 15.2.1.9(A)(9)(b) Appeal Procedures, 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 Monday February 3, 2025.

By Order of The New Mexico State Fair Stewards



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David Smith *Shelby Waples* *Walter Kuehl*