



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2025-SUN-39
Track Sunland Park
Ruling Date: 2/12/2025

Licensee: KEETON, TOBY LEE

License Type: 2024 3 Year Trainer Applicant Id: 11966
License Number: 312739

Ruling # 2025-SUN-39
Action Type: Case Continued
Ruling:
RE: 2025-SUN-39 - Case Continued

Owner/trainer Toby Keeton appeared before the Sunland Park Board of Stewards for his summary suspension hearing on March 16, 2025, at 8:30 a.m. with counsel Clark Brewster, Joey DeAngelis via attorney Billy Blackburn. After hearing testimony and viewing evidence presented, the board of Stewards determined owner/trainer Toby Keeton shall remain summarily suspended (per Rule 15.2.1.9 (A)(3)(a)) pending the outcome of a disciplinary hearing tentatively scheduled for March 25, 2025, at 10:00 a.m. in the office of the Board of Stewards at Sunland Park (1200 Futurity Dr. Sunland Park, NM 88063). The disciplinary hearing is regarding cases 1 through 7 for multiple class 1 penalty A drug violations on September 2, 2024, for the following horses;

Case #1, First Place finisher "Aguila Rapida" from the 7th race (All American Juvenile Stakes) at Ruidoso Downs (at DAA), Sample E547591, who tested positive for the drug Carmoterol (class 1 penalty A drug). An affidavit from Industrial Laboratories (the official laboratory for the NMRC.) on February 11th, 2025, reported the presence of Carmoterol confirmed in blood. Toby Keeton was listed as the Trainer of "Aguila Rapida" at the time of this race.

Case #2, First Place finisher "Dashing Tres" from the 10th race (All American Derby Grade 1) at Ruidoso Downs (at DAA), Sample E547598, who tested positive for the drug Carmoterol (class 1 penalty A drug). An affidavit from Industrial Laboratories (the official laboratory for the NMRC.) on February 11th, 2025, reported the presence of Carmoterol confirmed in blood. Toby Keeton was listed as the Trainer of "Dashing Tres" at the time of this race.

Case #3, Second place finisher "Visa" from the 10th race (All American Derby Grade 1) at Ruidoso Downs (at DAA), Sample E547597, who tested positive for the drug Carmoterol (class 1 penalty A drug). An affidavit from Industrial Laboratories (the official laboratory for the NMRC.) on February 11th, 2025, reported the presence of Carmoterol confirmed in blood. Toby Keeton was listed as the Trainer of "Visa" at the time of this race.

Case #4, Third place finisher "Shoeless" from the 10th race (All American Derby Grade 1) at Ruidoso Downs (at DAA), Sample E547596, who tested positive for the drug Carmoterol (class 1 penalty A drug). An affidavit from Industrial Laboratories (the official laboratory for the NMRC.) on February 11th, 2025, reported the presence of Carmoterol confirmed in blood. Toby Keeton was listed as the Trainer of "Shoeless" at the time of this race.

Case #5, Fifth Place finisher "Mountaineer" from the 11th race (All American Futurity Grade 1) at Ruidoso Downs (at DAA), Sample E547601, who tested positive for the drug Carmoterol (class 1 penalty A drug). An affidavit from Industrial Laboratories (the official laboratory for the NMRC.) on



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February 11th, 2025, reported the presence of Carmoterol confirmed in blood. Toby Keeton was listed as the Trainer of "Mountainaire" at the time of this race.

Case #6, First Place finisher "Hezgothelook Z" from the 11th race (All American Futurity Grade 1) at Ruidoso Downs (at DAA), Sample E547604, who tested positive for the drug Carmoterol (class 1 penalty A drug). An affidavit from Industrial Laboratories (the official laboratory for the NMRC.) on February 11th, 2025, reported the presence of Carmoterol confirmed in blood. Toby Keeton was listed as the Trainer of "Hezgothelook Z" at the time of this race.

Case #7, First Place finisher "Jess Good Wine" from the 12th race (All American Gold Cup Stakes Grade 1) at Ruidoso Downs (at DAA), Sample E547607, who tested positive for the drug Carmoterol (class 1 penalty A drug). An affidavit from Industrial Laboratories (the official laboratory for the NMRC.) on February 11th, 2025, reported the presence of Carmoterol confirmed in blood. Toby Keeton was listed as the Trainer of "Jess Good Wine" at the time of this race.

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

NMAC 15.2.6.9 Medications and Prohibited Substances

NMAC 15.2.6.9 (A)(4) Any drug or metabolite thereof found to be present in a pre- or post-race sample which is not classified in the association of racing commissioners international uniform classification guidelines for foreign substances shall be assumed to be an association of racing commissioners international class 1 drug and the trainer and owner shall be subject to those penalties as set forth in penalty category A unless satisfactorily demonstrated otherwise by the racing medication and testing consortium, with a penalty category assigned.

In accordance with Rule 15.2.1.9 Exclusion: 15.2.1.9 (B)(21)(a)(b)(c), Toby Keeton 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 Toby Keeton 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 Toby Keeton must be approved by the stewards prior to entry.

15.2.1.9.(A)(8)(b)

Licensee is found in violation of, and 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

15.2.1.9 (A)(1) Due Process and Disciplinary Action

15.2.1.9 (A)(3)(a)(c) Proceedings Before the Stewards: Summary Suspension. (a) If the Stewards determine that a licensee's action constitutes an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing. (c) At a hearing on a summary suspension, the sole issue is whether the licensee's license should remain suspended pending a final disciplinary hearing and ruling.

15.2.1.9 (A)(4)(a) Notice

15.2.1.9 (A)(5)(a)(b)(c) Continuances



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- 15.2.1.9 (A)(4)(c) Last Known Address
- 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)(e) Stewards General Authority
- 16.47.1.8 (T) Knowledge of Rules
- 15.2.6.9 (B) 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 Sunland Park Stewards





