



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-DAA-52
Track Downs at Albuquerque
Ruling Date: 7/24/2016

Licensee: CHAVEZ, ARTURO

License Type: 2015 3 Year Trainer Applicant Id: 23940
Date of Birth: 10/09/1957 License Number: 279870

Ruling # 2016-DAA-52

Action Type: Initial Ruling

Ruling:

Trainer Arturo Chavez, having telephonically appeared, before the Board of Stewards on this date for failure to provide equipment as entered: (Blinkers) , on the horse "Kicken Like Crazy" that ran in the 10th race, July 23, 2016 at The Downs at Albuquerque.

Arturo Chavez is found to be in violation of:

15.2.5.8(B)(10) NMAC: Which states in pertinent part "Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the Stewards.

15.2.5.13(A)(7) NMAC: Which states in pertinent part "No licensee may change any equipment on a horse in its last race without approval of the Paddock Judge or Stewards".

16.47.1.10 (B)(17) NMAC: Which states in pertinent part "The Trainer is responsible for representing an Owner in making entries and scratches, and in all other matters pertaining to racing, horses entered as to eligibility, and weight or other allowances claimed".

For this 1st violation at this meeting, the Board of Stewards assessed Arturo Chavez a penalty of a fine in the amount of fifty dollars (\$50.00). The fine is to be paid on or before August 24, 2016 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.

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.

By Order of The Downs at Albuquerque Stewards

Steward

Steward

Steward



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Ruling #: 2016-DAA-53
Track Downs at Albuquerque
Ruling Date: 7/24/2016

Licensee: VEGA-VELARDE, RAUL

License Type: 2016 3 Year Trainer Applicant Id: 9954

Date of Birth: 03/11/1975 License Number: 282479

Ruling # 2016-DAA-53

Action Type: Initial Ruling

Ruling:

Trainer Raul Vega, having telephonically appeared, before the Board of Stewards on this date for failure to provide equipment as entered: (Flipping Haulter On) , on the horse "Flashy Beamer" that ran in the 10th race, July 23, 2016 at The Downs at Albuquerque.

Raul Vega is found to be in violation of:

15.2.5.8(B)(10) NMAC: Which states in pertinent part "Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the Stewards.

15.2.5.13(A)(7) NMAC: Which states in pertinent part "No licensee may change any equipment on a horse in its last race without approval of the Paddock Judge or Stewards".

16.47.1.10 (B)(17) NMAC: Which states in pertinent part "The Trainer is responsible for representing an Owner in making entries and scratches, and in all other matters pertaining to racing, horses entered as to eligibility, and weight or other allowances claimed".

For this 1st violation at this meeting, the Board of Stewards assessed Raul Vega a penalty of a fine in the amount of fifty dollars (\$50.00). The fine is to be paid on or before August 24, 2016 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.

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.

By Order of The Downs at Albuquerque Stewards

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Ruling #: 2016-DAA-54
Track Downs at Albuquerque
Ruling Date: 7/24/2016

Licensee: CHACON, SEBEDEO R.
License Type: 2014 3 Year Trainer Applicant Id: 24761
Date of Birth: 11/27/1940 License Number: 164301

Ruling # 2016-DAA-54

Action Type: Initial Ruling

Ruling:

Trainer Sebedeo R. Chacon, having appeared telephonically before the Board of Stewards on July 22, 2016 for entering the horse "Mach Platinum" in the wrong race which resulted in a program scratch in the race 1ST race on July 22, 2016.

For this rule violation, the Board of Stewards assessed Sebedeo R. Chacon a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before August 22, 2016 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 to be in violation of:

NMAC 16.47.10 (C) (18) which states that a Trainer is responsible for horses as to eligibility and weight or other allowances claimed.

15.2.5.9(B)(2) NMAC: Which states in pertinent part that "The scratch of a horse after closing shall be made by the Owner, Trainer or their licensed designee, with permission from the stewards".

15.2.5.9 (B) (4) NMAC: Which states in pertinent part that "No horse may be scratched from an overnight race without approval of the Stewards.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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."

15.2.1.9(b):

Which states 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 Friday, Saturday 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."



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Ruling #: 2016-DAA-55
Track Downs at Albuquerque
Ruling Date: 7/24/2016

Licensee: DANLEY, FRED IKE
License Type: 2016 3 Year Trainer Applicant Id: 24866
Date of Birth: 07/17/1942 License Number: 280582

Ruling # 2016-DAA-55

Action Type: Initial Ruling

Ruling:

Trainer Fred Danley, having telephonically appeared, before the Board of Stewards on this date for failure to provide equipment as entered: (Blinkers On) , on the horse "I Am Dandy" that ran in the 3rd race, July 23, 2016 at The Downs at Albuquerque.

Fred Danley is found to be in violation of:

15.2.5.8(B)(10) NMAC: Which states in pertinent part "Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the Stewards.

15.2.5.13(A)(7) NMAC: Which states in pertinent part "No licensee may change any equipment on a horse in its last race without approval of the Paddock Judge or Stewards".

16.47.1.10 (B)(17) NMAC: Which states in pertinent part "The Trainer is responsible for representing an Owner in making entries and scratches, and in all other matters pertaining to racing, horses entered as to eligibility, and weight or other allowances claimed".

For this violation the Board of Stewards assessed Fred Danley a penalty of a fine in the amount of fifty dollars (\$50.00). The fine is to be paid on or before August 24, 2016 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.

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.

15.2.1.9(b):

Which states 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



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: 2016-DAA-56
Track Downs at Albuquerque
Ruling Date: 7/24/2016

Licensee: VAUGHN, LONNIE H
License Type: 2015 3 Year Trainer Applicant Id: 5496
Date of Birth: 12/19/1947 License Number: 277633

Ruling # 2016-DAA-56

Action Type: Initial Ruling

Ruling:

Trainer Lonnie Vaughn, having appeared telephonically before the Board of Stewards on July 24, 2016 for no show to the paddock with the horse "Midnightlowdown" which resulted in a program scratch in the 9TH race on July 23 at the Downs at Albuquerque.

For this rule violation, the Board of Stewards assessed a penalty in the amount of two hundred Fifty dollars (\$250.00). The fine is to be paid on or before August 24, 2016 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 to be in violation of:**

NMAC:

16.47.1.10. Trainers

(C) "The Trainer is responsible for having

(22) His/her horse present 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;

15.2.5.9 B. SCRATCHES:

(1) A "scratch" is the act of withdrawing an entered horse from a contest after the closing of entries.

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

Of section 15.2.3 B. Stewards.

(1) **General authority.** The stewards for each meeting shall be responsible to the commission for the conduct of the race meeting in accordance with the laws of this state and these rules.

(d) 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(L)(1)(h) NMAC:

Which states that "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."

...1.9(b):

Which states 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."



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Ruling #: 2016-DAA-57
Track Downs at Albuquerque
Ruling Date: 7/24/2016

Licensee: MEDELLIN, ALEJANDRO HERRERA
License Type: 2016 3 Year Jockey Applicant Id: 31173
Date of Birth: 01/23/1978 License Number: 280673

Ruling # 2016-DAA-57

Action Type: Initial Ruling

Ruling:

Alejandro Medellin, having appeared with his attorney Gene Chavez before the Board of Stewards on July 23, 2016, for misuse of the whip (hit his mount excessively in the Flank with the whip drawing blood) while aboard "Monkey Lion" in the 6th race, on June 17, 2016 at SunRay Park. Alejandro Medellin is found to be in violation of Commission rules.

15.2.5.13 (E)(6)(e) NMAC: 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.

Alejandro Medellin waived his right to appeal, in order to start his suspension earlier.

THIS IS HIS FIRST WHIPPING VIOLATION AT THIS MEET. The Board of Stewards assessed a penalty in the amount of One Thousand dollars (\$1000.00) and a suspension from riding with a whip (**NO WHIP**) for 30 consecutive days from July 31, 2016 through August 29, 2016 inclusive. The fine is to be paid on or before August 24, 2016 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.

By Order of The Downs at Albuquerque Stewards

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Ruling #: 2016-DAA-58
Track Downs at Albuquerque
Ruling Date: 7/24/2016

Licensee: ALVAREZ, LUIS ANGEL

License Type: 2016 3 Year Owner Applicant Id: 86469

Date of Birth: 02/07/1991 License Number: 281977

Ruling # 2016-DAA-58

Action Type: Initial Ruling

Ruling:

Licensee Luis Angel Alvarez having appeared before the Board of Stewards on July 24, 2016 is found to be in violation of Commission rules.

Mr. Alvarez having been issued a security violation for parking waved his right to a hearing.

For this rule violation, the Board of Stewards assessed licensee the following penalty, a fine in the amount of Twenty Five dollars, (\$25.00). The fine is to be paid by August 23, 2016 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.

This ruling is in accordance:

16.47.1.8(L)(1)(h) NMAC:

Which states that "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."

15.2.1.9(b):

Which states 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

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4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-DAA-59
Track Downs at Albuquerque
Ruling Date: 7/29/2016

Licensee: ROMAN, SERGIO P
License Type: 2015 3 Year Trainer
Date of Birth: 09/25/1969
Applicant Id: 19056
License Number: 278978

Ruling # 2016-DAA-59

Action Type: Initial Ruling

Ruling:

Trainer/Owner, Sergio Roman, having been duly notified, and having appeared before the Board of Stewards on 6/27/16, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NM19796, after it was collected from the horse "Me Tuff" which finished 2nd in the 2nd race, June 11, 2016 at SunRay Park.

(The original lab report indicated a finding of Clenbuterol in urine at 618pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and not accepted by Sergio Roman. With this drug, no level of detection is allowed to be found in a post-race sample.

Sergio Roman is found to be in violation of:

15.2.6.9(D)(1) NMAC: A finding by the commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race. Prohibited substances include: drugs or medications for which no acceptable levels have been established; therapeutic medications in excess of established acceptable levels; substances present in the horse in excess of levels at which such substances could occur naturally;
15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third Party."

For this violation, the Board of Stewards assess Sergio Roman a penalty as follows:

- (1) A suspension of any/all NMSRC issued licenses for a period of 30 calendar days (Aug. 8, 2016 through Sep.7, 2016, Inclusive);
- (2) A fine in the amount of \$750.00;
- (3) Loss of purse of the 2nd race, June 11, 2016, at SunRay Park. New Order of Finish:
1st Rabbit Trick 5th Ebz Queen
2nd Endless Speed 6th Fj Jumpn
3rd Lion Again Sctatched: Raspberry Cola
4th King of Pop Unplaced: Me Tuff

This is a first offense positive test violation in the past 365 day period, and is issued in accordance with 15.2.6.9 (C)(2) NMAC. The fine is to be paid on or before any reinstatement date, in accordance with 15.2.3.8(B)(3)(l) NMAC.

During said time of applicable suspension, Sergio Roman is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a) NMAC, and 15.2.3.8 (B)(3)(f) NMAC.

Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Sergio Roman are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

BY ORDER OF THE DOWNS at ALBUQUERQUE BOARD OF STEWARDS

steward

steward

steward

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-DAA-60
Track Downs at Albuquerque
Ruling Date: 7/29/2016

Licensee: RAMIREZ, ESTEBAN
License Type: 2014 3 Year Trainer Applicant Id: 19424
Date of Birth: 08/09/1961 License Number: 205661

Ruling # 2016-DAA-60

Action Type: Initial Ruling

Ruling:

Licensee was notified telephonically by the Board of Stewards on this July 29, 2016 for failure to have the equipment: (flipping halter) that was designated at time of entry on the horse entered in the 3RD race, on Date: July 24, 2016, at The Downs at Albuquerque. Licensee is found to be in violation of Commission rules.

15.2.5.8 (B)(9) NMAC: Which states in pertinent part that " Any approved change of equipment must be declared at time of entry."Any changes after that time must be approved by the Stewards.

For this rule violation, the Board of Stewards assessed a penalty in the amount of Fifty dollars (\$50.00). The fine is to paid on or before May 24 2016 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.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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."

15.2.1.9(b):

Which states 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

Fred Salinas *Ron Walker* *[Signature]*