



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-25
Track Downs at Albuquerque
Ruling Date: 7/12/2017

Licensee: FUENTES, ADAN

License Type: 2016 3 Year Jockey

Applicant Id: 33127

License Number: 284538

Ruling # 2017-DAA-25

Action Type: Initial Ruling

Ruling:

The **license** issued to **Jockey Adan Fuentes** is hereby rescinded without prejudice as **he has** stated that **he** no longer works in this capacity.

This ruling is written in accordance with:

16.47.1.8 (M)(2) NMAC: Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license".

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.8 (A)(1) License Required

By Order of The Downs at Albuquerque Stewards

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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-26
Track Downs at Albuquerque
Ruling Date: 7/15/2017

Licensee: BELLOC, UMBERTO G.

License Type: 2017 3 Year Trainer Applicant Id: 20936
License Number: 285013

Ruling # 2017-DAA-26

Action Type: Initial Ruling

Ruling:

Trainer Umberto Belloc having been duly notified and failed to appear before the Board of Stewards July 15, 2017, regarding the following lab reports from UC/Davis (official testing laboratory for the NMSRC) for the confirmed positives for the prohibited class 3 penalty B drug "Clenbuterol". **NM08059** Dec.13, 2014 for the horse "This Fire is Cold", **NM09840** Nov.29, 2014 for the horse "Urbanite", **NM09904** Dec. 5, 2014 for the horse "Eagle on the Fly", and **NM09913** Dec.5, 2014 for the horse "This Fire is Cold". Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Umberto Belloc.

Licensee is found in violation of:

15.2.6.9(C)(1-2-3) NMAC: Which states that "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 (b) therapeutic medications in excess of established acceptable levels".

For Umberto Belloc's multiple Class B medication violations, under the **PREVIOUS ARCI RULES of 2014** issued in accordance with 15.2.6.9 (C)(2) Penalty Recommendations, the Board of Stewards assessed a penalty as follows.

1. A 6 Month suspension of all NMRC licenses starting July 16, 2017, through January 15, 2018, inclusive.
2. A (\$5,000.00) Five thousand dollar fine for multiple Class B violations, to be paid on or before Aug. 16, 2017, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.

During said time of applicable suspension, Umberto Belloc is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21). Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Umberto Belloc are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(e).

This ruling is written in accordance with:

15.2.3.8 B (1)(3)(f)(g)(i)

15.2.6.11(A) NMAC: Trainer Responsibility

and 16.47.1.10(B)(1) NMAC: Absolute Insurer Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or 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."

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

16.47.1.8 (T) KNOWLEDGE OF RULES

By Order of The Downs at Albuquerque Stewards

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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-27
Track Downs at Albuquerque
Ruling Date: 7/15/2017

Licensee: TORRES, JULIETA NEXY

License Type: 2017 3 Year Owner Applicant Id: 34008
License Number: 285120

Ruling # 2017-DAA-27

Action Type: Initial Ruling

Ruling:

Owner Diamond Racing Stables LLC (Julieta Torres) having been duly notified and failed to appear before the Board of Stewards July 15, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited class 3 penalty B drug "Clenbuterol" detected in the horse "Urbanite" (Test Sample #: NM09840), who finished in 6th place in the 10th race on Nov 29, 2014, at Zia Park Race Track. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer Umberto Belloc.

Licensee is found in violation of

15.2.6.9(C)(1-2-3) NMAC: Which states that "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 (b) therapeutic medications in excess of established acceptable levels".

For Diamond Racing Stables LLC (Julieta Torres) 4th Class B medication violation issued in accordance with **PREVIOUS ARCI RULES of 2014** issued in accordance with 15.2.6.9 (C)(2) Penalty Recommendations, the Board of Stewards assessed a penalty as follows.

1. A (\$5000.00) Five thousand dollar fine for the 4th Class B violation to paid on or before Aug. 16, 2017, in accordance with 15.2.3.8 (B)(3) (i). Failure to pay fine in prescribed time may result in an immediate suspension.
2. The horse "Urbanite" is hereby disqualified from SIXTH PLACE and ordered unplaced from the 10th race on Nov. 29, 2014 at Zia Park Race Track, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Stone Cottrell
2. Call Me Cash Man
3. Future Jabonero
4. Uno Mas Hero
5. Making Fire
6. First Prize Jewel
7. Cocoa Cream
8. Double Chiseled

Unplaced "Urbanite"

This ruling is written in accordance with:

15.2.3.8(B)(3)(k): Redistribution of Purses and Prizes/ 15.2.5.13(E)(4)(d) : Stewards General Authority/ 15.2.3.8 B (3)(f) 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 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

15.2.1.9(B)(9)(b): Appeal Procedures 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 \$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

Martin Hamilton

For Walsh

Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-28
Track Downs at Albuquerque
Ruling Date: 7/15/2017

Licensee: MOYA, ARMANDO LUIS

License Type: 2015 3 Year Owner Applicant Id: 7748
License Number: 279709

Ruling # 2017-DAA-28

Action Type: Initial Ruling

Ruling:

Owner, Armando Moya, having been duly notified, and failed to appear before the Board of Stewards July 15, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the horse "**This Fire is Cold**" (**Test Sample #: NM09913**), who finished 1st place in the 7th race on Dec. 5, 2014, at Sunland Park. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer **Umberto Belloc**.

Licensee is found in violation of

15.2.6.9(C)(1-2-3) NMAC: Which states that "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 (b) therapeutic medications in excess of established acceptable levels".

For Armando Moya's 1st Class 3B medication violation issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards assessed a penalty as follows.

1. The horse "**This Fire is Cold**" is hereby disqualified from **FIRST PLACE in the Trial** and ordered unplaced from the **7th race on Dec. 5, 2014 at Sunland Park Racetrack**, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Double O Seven B
2. Ic Southern Dash Guy
3. Stel Worth It
4. Redneck Baptism
5. Sixes Corona Feather
6. Lotta Dynasty
7. Verona Beach Unplaced "**This Fire is Cold**"

2. The horse "**This Fire is Cold**" is hereby disqualified from **SEVENTH PLACE in the Futurity** and ordered unplaced from the **5th race on Dec. 26, 2014 at Sunland Park Racetrack**, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Pycs Little Lady
2. Carters Last Straw
3. Tropical Corona
4. Aka Bugga
5. Dynazip
6. Double O Seven
7. Effortless Eagle Unplaced "**Eagle on the Fly**" and "**This Fire is Cold**"

This ruling is written in accordance with:

15.2.3.8(B)(3)(k): Redistribution of Purses and Prizes/ 15.2.5.13(E)(4)(d) : Stewards General Authority/ 15.2.3.8 B (3)(f) 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 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

By Order of The Downs at Albuquerque Stewards

Martin Hamilton

Ron Walker

Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-29
Track: Downs at Albuquerque
Ruling Date: 7/15/2017

Licensee: YBARRA, JR MARTIN CORTEZ

License Type: 2015 3 Year Owner Applicant Id: 32227
License Number: 277531

Ruling # 2017-DAA-29

Action Type: Initial Ruling

Ruling:

Owner, Martin C. Ybarra, having been duly notified, and failed to appear before the Board of Stewards July 15, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the horse "Eagle on the Fly" (Test Sample #: NM09904), who finished 1st place in the 3rd race on Dec. 5, 2014, at Sunland Park. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer **Umberto Belloc**.

Licensee is found in violation of

15.2.6.9(C)(1-2-3) NMAC: Which states that "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 (b) therapeutic medications in excess of established acceptable levels".

For Martin C. Ybarra's 1st Class 3B medication violation issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards assessed a penalty as follows.

1. The horse "Eagle on the Fly" is hereby disqualified from FIRST PLACE in the TRIAL and ordered unplaced from the 3rd race on Dec. 5, 2014 at Sunland Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Aka Bugga
2. Pycs Little Lady
3. Centralia
4. Takiana Romanova B
5. Runaway Hurricane
6. Bet I Make U Famous
7. Bac Burner
8. Silver Excess Unplaced "Eagle on the Fly"

2. The horse "Eagle on the Fly" is hereby disqualified from FOURTH PLACE in the Futurity and ordered unplaced from the 5th race on Dec. 26, 2014 at Sunland Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Pycs Little Lady
2. Carters Last Straw
3. Tropical Corona
4. Aka Bugga
5. Dynazip
6. Double O Seven
7. Effortless Eagle Unplaced "Eagle on the Fly and "This Fire is Cold"

This ruling is written in accordance with:

15.2.3.8(B)(3)(k): Redistribution of Purses and Prizes/ 15.2.5.13(E)(4)(d) : Stewards General Authority/ 15.2.3.8 B (3)(f) 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 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

15.2.1.9(B)(9)(b): Appeal Procedures 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 \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

Martin Hametta

By Order of The Downs at Albuquerque Stewards

Tom Walker

Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-30
Track Downs at Albuquerque
Ruling Date: 7/16/2017

Licensee: TALSMA, BRUCE KEVIN
License Type: 2016 3 Year Practicing Applicant Id: 4140
License Number: 281064

Ruling # 2017-DAA-30

Action Type: Initial Ruling

Ruling:

Veterinarian, Bruce Talsma, having appeared before the board of stewards, on Summary Suspension 2017-DAA-15 with his attorney Gary Mitchell, shall remain summarily suspended, (effective July 5, 2017) for refusing to allow the inspection of his vehicle by a NMRC investigator in the stable area at The Downs at Albuquerque, on July 5, 2017. and found to be in violation of NMRC rules.

Licensee is found to be in violation of:

16.47.1.8 (E) : Agree to search and seizure Which states in pertinent part "By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents, and to the seizure of any prohibited medication, drugs, paraphernalia, or devices in accordance with State and Federal law"

In accordance with **15.2.1.9 (C)(21)**, remains excluded from all areas of the grounds under the jurisdiction of the NMSRC pending the outcome of his disciplinary hearing.

This ruling is written in accordance with:

16.47.1.8 (L)(1)(i) – Conduct Which states in pertinent part "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"

16.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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

16.47.1.3 Statutory Authority

By Order of The Downs at Albuquerque Stewards

Linda Salinas *For Walter* *Martin Hamilton*

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.