



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-38  
Track: Downs at Albuquerque  
Ruling Date: 7/26/2017

Licensee: ALDAVAZ, SR JAIME G.  
License Type: 2016 3 Year Trainer      Applicant Id: 19631  
License Number: 281163

Ruling # 2017-DAA-38

Action Type: Initial Ruling

Ruling:

Trainer Jaime Aldavaz Sr. having been duly notified and appearing before the Board Of Stewards on July 26, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Dexamethasone (class 4 penalty category C drug) found in test sample NM26894 taken from the horse "First Moon Fire" who finished 1st in the 7th race, on May 5, 2017, at SunRay Park Racetrack. The original lab report indicated a finding of Dexamethasone at 51 pg/ml in the blood, the allowable limit for Dexamethasone is 5 pg/ml in the blood. Sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and denied by Jaime Aldavaz Sr.

Licensee is found to be in violation of: 15.2.6.9(C)(1) : Prima Facie Evidence 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; substances foreign to a horse at levels that cause interference with testing procedures.

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.

For Jaime Aldavaz Sr.'s 2nd Class 4C medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4), the Board of Stewards assessed a penalty as follows:

1. A (\$1,500) Fifteen Hundred dollar fine, to paid on or before Aug. 26, 2017, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay fine in prescribed time may result in an immediate suspension.
2. A 30 day suspension of all NMRC licenses starting July 26, 2017, through Aug. 25, 2017, inclusive.
3. During said time of applicable suspension, Jaime Aldavaz Sr. 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 Jaime Aldavaz Sr are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c).

This ruling is written in accordance with: 15.2.6.11(A): Trainer Responsibility: The trainer is responsible for the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug, medication or other substance, including permitted medication in excess of the maximum allowable level, in such horses. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable level, as reported by a Commission approved laboratory, is prima facie evidence of a violation of this rule. In the absence of substantial evidence to the contrary, the trainer is responsible. 15.2.6.11(B) Trainer Responsibility A trainer shall prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules. 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.

By Order of The Downs at Albuquerque Stewards

*Linda Salinas*      *Ron Walker*      *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.



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-39  
Track Downs at Albuquerque  
Ruling Date: 7/26/2017

Licensee: SANCHEZ, MARIO G.  
License Type: 2015 3 Year Trainer Applicant Id: 31581  
License Number: 279968

Ruling # 2017-DAA-39

Action Type: Initial Ruling

Ruling:

Trainer **Mario G. Sanchez** having been duly notified, and appeared telephonically before the Board of Stewards May 5, 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 at 179 pg/ml in the horse "**Chasemyferraritodtop**" (**Test Sample #: NM25170**), who finished 1st in the 2nd race on March 10, 2017, at Sunland Park. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Mario G. Sanchez**

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".  
**15.2.6.9(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.**

For **Mario G. Sanchez'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. A 25 day suspension of all NMRC licenses starting May 6, 2017, through May 31, 2017, inclusive.
2. A (\$750.00) Seven hundred fifty dollar fine to paid on or before Aug 25, 2017, in accordance with 15.2.3.8 (B)(3)(l). Failure to pay fine in prescribed time may result in an immediate suspension.
3. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(c), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d),the horse "**Chasemyferraritodtop**" is placed on the Stewards list for a minimum period of 60 days (beginning March 29, 2017). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

During said time of applicable suspension, **Mario G. Sanchez** 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 **Mario G. Sanchez** 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)(j)**
- 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**
- 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

*Anda Solinas*      *Ron Walker*      *Martin Hammett*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-40  
Track: Downs at Albuquerque  
Ruling Date: 7/26/2017

Licensee: EVANS, JUSTIN ROBERT  
License Type: 2015 3 Year Trainer      Applicant Id: 30562  
License Number: 246959

Ruling # 2017-DAA-40  
Action Type: Initial Ruling  
Ruling:

Trainer **Justin Evans** having been duly notified waved a hearing and appeared Telephonically before the Board of Stewards on July 26, 2017 for failing to have a current **Coggins** on file for entry “**Yo La Tengo**” which resulted in a late scratch in the 8th race on July 23, 2017, at The Downs at Albuquerque.

**Licensee is found to be in violation of.**

15.2.5.12(Z) A horse shall be ineligible to start when “there is no current negative test certificate for equine infectious anemia on file with the racing office, as required by the commission”.

For this violation, the Board of Stewards assessed **Justin Evans** a fine in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **August 23, 2017**, in accordance with 15.2.3.8 (B)(3)(1) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

**This ruling is written in accordance with**

**16.47.1.8. T. KNOWLEDGE OF RULES:**

**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.

*Linda Salinas*      *Pat Walsh*      *Martin Hamilton*  
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  
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Ruling #: 2017-DAA-41  
Track Downs at Albuquerque  
Ruling Date: 7/26/2017

Licensee: DOMINGUEZ, LUIS FERNANDO

License Type: 2016 3 Year Owner      Applicant Id: 158983  
License Number: 282640

Ruling # 2017-DAA-41

Action Type: Initial Ruling

Ruling:

Owner Luis Fernando Dominguez having been duly notified, and appeared telephonically through trainer Mario G. Sanchez before the Board of Stewards May 5, 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 at 179 pg/ml in the horse "Chasemyferraritodtop" (Test Sample #: NM25170), who finished 1st in the 2nd race on March 10, 2017, at Sunland Park. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer Mario G. Sanchez

License 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".  
15.2.6.9(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

For Luis Fernando Dominguez 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. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(c), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d), the horse "Chasemyferraritodtop" is placed on the Stewards list for a minimum period of 60 days (beginning March 29, 2017). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
2. The horse "Chasemyferraritodtop" is hereby disqualified from 1st Place and ordered unplaced from the 2nd race on March 10, 2017 at Sunland Park for all but pari-mutuel wagering. The purse redistribution is as follows.
  1. Bogart Seis
  2. Copper Dynasty
  3. Magnum P S I
  4. Famous Dreamgirl
  5. Jumpn Shout
  6. Elcalcetas
  7. Louisiana Bo Peep
  8. Silver Surfer Dude
  9. Brews Jj

Unplaced "Chasemyferraritodtop" Late Scratch: Dragon on the Moon, Hija de Curlys

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



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-42  
Track Downs at Albuquerque  
Ruling Date: 7/28/2017

Licensee: Mora, Manuel Michael

License Type: 2017 3 Year Owner      Applicant Id: 159967  
License Number: 286159

Ruling # 2017-DAA-42

Action Type: Initial Ruling

Ruling:

**Manuel Mora** having been duly notified and having appeared before the Board of Stewards on July 28, 2017 at Downs at Albuquerque Racetrack, for failing to disclose criminal/arrest history on his licensing application. Manuel Mora has been reinstated. Refer to ruling 2017-DAA-37.

**Licensee is found to be in violation of:**

**16.47.1.8 (L)(1) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE.**

16.47.1.8(L)(1)(F) CONDUCT 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 has been found to have made false or misleading statements to the commission, stewards, or any racing official

For this violation, the Board of Stewards assessed a fine in the amount of **One hundred dollars (\$100.00)** and must fill out a corrected application. The fine is to be paid on or before **August 7, 2017** in accordance with 15.2.3.8 (B)(3)(I). Failure to pay the fine within the time prescribed may result in immediate suspension

**This ruling is written in accordance with:**

**16.47.1.8. T. KNOWLEDGE OF RULES:**

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 \$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

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-43  
Track Downs at Albuquerque  
Ruling Date: 7/29/2017

Licensee: HERNANDEZ, LUIS R  
License Type: 2014 3 Year Trainer Applicant Id: 116716  
License Number: 184556

Ruling # 2017-DAA-43

Action Type: Initial Ruling

Ruling:

Trainer **Luis R. Hernandez** having been duly notified, and waiving his rights to a hearing, appeared before the Board of Stewards July 26, 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 at 628 pg/ml in the horse "**James D Man**" (Test Sample #: **NM26996**), who finished in 4th place in the 7th race on May 19, 2017, at SunRay Park in Farmington, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Luis R. Hernandez**

**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".  
**15.2.6.9(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.**

For **Luis R. Hernandez's** 3rd 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. **A 6 Month suspension of all NMRC licenses starting Dec. 23, 2017, through June 22, 2018, inclusive.** These dates are associated with other rulings, and may become effective immediately if those rulings are amended.
2. A **(\$5,000.00) Five thousand dollar fine to be paid on or before Aug. 29, 2017,** in accordance with 15.2.3.8 (B)(3)(i). Failure to pay fine in prescribed time may result in an immediate suspension.
3. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(c), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d), the horse "**James D Man**" is placed on the Stewards list for a minimum period of 60 days (beginning **June 8, 2017**). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
4. **Referral of this matter to the NMSRC for any further action deemed necessary, in accordance with 15.2.3.8 (B)(3)(j) NMAC;**

During said time of applicable suspension, **Luis R. Hernandez** 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 **Luis R. Hernandez** 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)(j)**

**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.

**16.47.1.10(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 (T) KNOWLEDGE OF 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

*Linda Salinas* *Erin Walsh* *Martin Hamilton*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-44  
Track Downs at Albuquerque  
Ruling Date: 7/29/2017

Licensee: ROMAN, SERGIO P  
License Type: 2016 3 Year Owner Applicant Id: 19056  
License Number: 281457

Ruling # 2017-DAA-44

Action Type: Initial Ruling

Ruling:

Owner, **Sergio P. Roman**, having been duly notified, and appeared before the Board of Stewards by telephone, July 26, 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 at 628 pg/ml in the horse "**James D Man**" (**Test Sample #: NM26996**), who finished in 4th place in the 7th race on May 19, 2017, at SunRay Park in Farmington, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer **Luis R. Hernandez**.

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".  
**15.2.6.9(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.**

For **Sergio P. Roman's** 3rd 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. A (\$5000.00) Five thousand dollar fine for the 3rd Class B violation to be paid on or before **Aug.29, 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. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(c), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d), the horse "**James D Man**" is placed on the Stewards list for a minimum period of 60 days (beginning **June 8, 2017**). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
3. The horse "**James D Man**" is hereby disqualified from 4th Place. The purse redistribution is as follows.
  1. Boomer Who
  2. Beverlys Ruller
  3. Dark Brook
  4. Happy Havta Go
  5. Roll On Diego
  6. Miss Borrachita
  7. Royal Tapout

Unplaced "**James D Man**"

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

*Linda Salinas Ron Walker Martin Hamilton*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-45  
Track Downs at Albuquerque  
Ruling Date: 7/29/2017

Licensee: VALENZUELA, GASTON FLORES

License Type: 2016 3 Year Trainer      Applicant Id: 30556  
License Number: 281583

Ruling # 2017-DAA-45

Action Type: Initial Ruling

Ruling:

Trainer Gaston F. Valenzuela having been duly notified, and having appeared before the Board of Stewards on July 29, 2017 regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed overage of allowable limits for the Class IV drugs "Phenylbutazone" and "Flunixin" which was found in sample NM28335, after it was collected from the horse, "Cd Mighty Handsome" which finished first in the 4th race, June 16, 2017, at Ruidoso Downs.

(The original lab report indicated a finding of Phenylbutazone at 0.940 mcg/ml and Flunixin at 7.3 ng/ml in Blood. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded, and denied.

Gaston F. Valenzuela is found to be in violation of:

**15.2.6.9(D)(1-2-3) NMAC:** Which states in pertinent part 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 this violation, the Board of Stewards assessed Gaston F. Valenzuela a penalty as follows:

(1) A fine in the amount of Five Hundred dollars (\$500.00);

This is the 1st positive Class 4-C violation in the past 365 day period, and is issued in accordance with 15.2.6.9 (C)(3)(c) NMAC. The fine is to be paid on or before Aug 29, 2017, in accordance with 15.2.3.8(B)(3)(l) NMAC.

This ruling is written in accordance with:

**15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES (4) Class 4 -** This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so.

**15.2.6.11(A) NMAC: Trainer Responsibility**

**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."

**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 \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

BY ORDER OF THE ALBUQUERQUE BOARD OF STEWARDS

By Order of The Downs at Albuquerque Stewards





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-46  
Track Downs at Albuquerque  
Ruling Date: 7/29/2017

Licensee: ORONA, JR MARTIN M.

License Type: 2016 3 Year Trainer      Applicant Id: 32292  
License Number: 282343

Ruling # 2017-DAA-46

Action Type: Initial Ruling

Ruling:

**Trainer Martin Orona Jr.** having been duly notified, appeared telephonically, and had his hearing in accordance with 15.2.1.9(B)(4)(d) , before the Board of Stewards on July 29, 2017, for failure to declare equipment (Flipping **Halter Off**) at time of entry for "**Agouti too Shoes**", entered in the 9th race on , July 28, 2017 at Down at Albuquerque Racetrack.

**Licensee is found to be in violation of:**

**15.2.5.8 (B)(10) Procedure For Entries** Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

**15.2.5.8 (B)(6) Procedure For Entries** No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

**15.2.5.13 (A)(6) Equipment For The Running Of The Race:** No licensee may add blinkers to a horse's equipment or discontinue their use without the prior approval of the starter, the paddock judge, and the stewards.

For this rule violation, the Board of Stewards assessed Martin Orona Jr. a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **August 27, 2017**, 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 written in accordance with:**

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-47  
Track: Downs at Albuquerque  
Ruling Date: 7/29/2017

Licensee: OCHOA, MARIA DOLORES  
License Type: 2016 3 Year Owner      Applicant Id: 159471  
License Number: 284392

Ruling # 2017-DAA-47

Action Type: Initial Ruling

Ruling:

Owner Maria D. Ochoa having been duly notified, and having appeared through trainer Gaston F. Valenzuela before the Board of Stewards on July 29, 2017 regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed overage of allowable limits for the Class IV drugs "Phenylbutazone" and "Flunixin" which was found in sample NM28335, after it was collected from the horse, "Cd Mighty Handsome" which finished first in the 4th race, June 16, 2017, at Ruidoso Downs.

(The original lab report indicated a finding of Phenylbutazone at 0.940 mcg/ml and Flunixin at 7.3 ng/ml in Blood. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded, and denied.

Maria D. Ochoa is found to be in violation of:

15.2.6.9(D)(1-2-3) NMAC: Which states in pertinent part 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 this violation, the Board of Stewards assessed Maria D. Ochoa a penalty as follows;

(1) A WARNING for the 1st Class 4-C Medication Violation and is issued in accordance with 15.2.6.9 (C)(3)(c) NMAC.

*This ruling is written in accordance with:*

**15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES (4) Class 4** - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so.

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

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-48  
Track Downs at Albuquerque  
Ruling Date: 7/30/2017

Licensee: SANCHEZ, PHILLIP RALPH  
License Type: 2015 3 Year Trainer Applicant Id: 29569  
License Number: 277097

Ruling # 2017-DAA-48

Action Type: Initial Ruling

Ruling:

**Phillip R. Sanchez** having been duly notified, and appeared telephonically before the Board of Stewards on **July 30, 2017**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**Sr Canyon**" entered in the 5th race on July 29, 2017 at Downs at Albuquerque Racetrack.

Licensee is found to be in violation of:

15.2.5.8 (B)(10) Procedure For Entries Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

For this rule violation, the Board of Stewards assessed **Phillip R. Sanchez** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **August 29, 2017**, 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 written in accordance with:

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.