



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-55
Track Downs at Albuquerque
Ruling Date: 8/9/2017

Licensee: LUNA-SILVA, JOSE
License Type: 2015 3 Year Trainer Applicant Id: 157317
License Number: 277162

Ruling # 2017-DAA-55

Action Type: Initial Ruling

Ruling:

Trainer Jose Luna Silva having been duly notified, appeared telephonically and waved his hearing before the Board of Stewards on August 6, 2017, for failure to declare equipment (Blinkers on) at time of entry for "Luna de Plata", entered in the 5th race on August 5, 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.

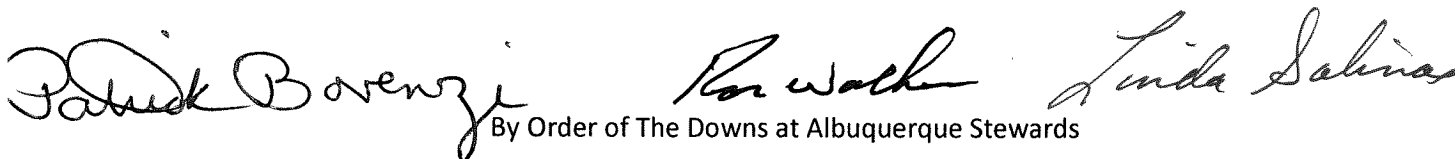
15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

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 **Jose Luna Silva** a penalty in the amount of **One Hundred dollars (\$100.00)**. The fine is to paid on or before **September 4, 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. Narrative: The blinkers were taken off at the gate.

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-56
Track Downs at Albuquerque
Ruling Date: 8/9/2017

Licensee: CAZARES, MICHAEL ALAN
License Type: 2016 3 Year Jockey Applicant Id: 30365
License Number: 282149

Ruling # 2017-DAA-56

Action Type: Initial Ruling

Ruling:

Jockey Michael Cazares having waived his right to a ten day notice and formal hearing on **August 9, 2017** concerning a security citation for drinking alcohol beverages on the backside is found in violation of Commission rules.

Licensee is found to be in violation of:

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”

This ruling is written in accordance with:

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.

For this rule violation, the Board of Stewards assessed **Michael Cazares** a penalty in the amount of **Fifty dollars (\$50.00)**. This fine is to be paid on or before **September 8, 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.

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.

Linda Salinas Patrick Boverz Ron Walker



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-57
Track Downs at Albuquerque
Ruling Date: 8/9/2017

Licensee: MARQUEZ, JOSE LUIS

License Type: 2015 3 Year Trainer Applicant Id: 23709
License Number: 277384

Ruling # 2017-DAA-57

Action Type: Initial Ruling

Ruling:

Trainer Jose Marquez having waived his right to a ten day notice and formal hearing on **August 9, 2017** concerning a security citation for drinking alcohol beverages on the backside is found in violation of Commission rules.

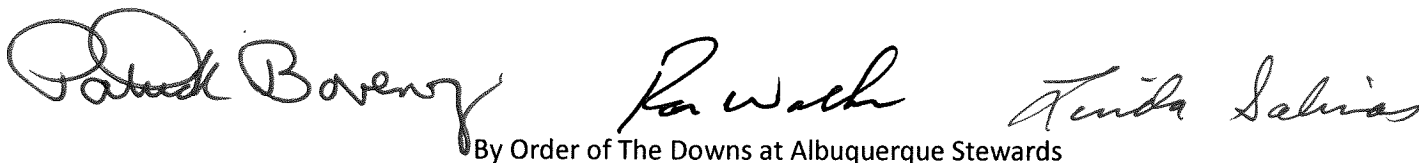
Licensee is found to be in violation of:

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”

This ruling is written in accordance with:

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.

For this rule violation, the Board of Stewards assessed **Jose Marquez** a penalty in the amount of **Fifty dollars (\$50.00)**. This fine is to be paid on or before **September 8, 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.


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-58
Track Downs at Albuquerque
Ruling Date: 8/11/2017

Licensee: QUINTANA-GUTIERREZ, JUAN
License Type: 2015 3 Year Trainer Applicant Id: 30422
License Number: 279088

Ruling # 2017-DAA-58

Action Type: Initial Ruling

Ruling:

Trainer **Juan Quintana-Gutierrez** having been duly notified, and appeared before the Board of Stewards August 11, 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 256 pg/ml in the horse "**Fox in the House**" (**Test Sample #: NM14225**), who finished in 2nd place in the 9th race on July 21, 2015, at SunRay Park in Farmington, NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Juan Quintana-Gutierrez**.

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) At the time the concentration of Clenbuterol allowed was 140 pg/ml to appear in any official sample.

For **Juan Quintana-Gutierrez'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 15 day suspension of all NMRC licenses starting Sep. 25, 2017, through Oct. 9, 2017, inclusive.**
- 2. A (\$750.00) seven hundred fifty dollar fine to paid on or before Sep 11, 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, **Juan Quintana-Gutierrez** 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 **Juan Quintana-Gutierrez** 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:

15.2.3.8 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

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
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Ruling #: 2017-DAA-59
Track Downs at Albuquerque
Ruling Date: 8/11/2017

Licensee: PADILLA, HECTOR A
License Type: 2015 3 Year Owner Applicant Id: 30418
License Number: 277662

Ruling # 2017-DAA-59

Action Type: Initial Ruling

Ruling:

Owner, **Moranzy LLC (Hector Padilla)**, having been duly notified, and appeared before the Board of Stewards through Trainer Juan Quintana-Gutierrez on, Aug. 11, 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 256 pg/ml in the horse "**Fox in the House**" (**Test Sample #: NM14225**), who finished in 2nd place in the 9th race on July 21, 2015, 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.

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) At the Time the concentration of Clenbuterol allowed was 140 pg/ml to appear in any official sample.

For **Moranzy LLC (Hector Padilla)**'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 "**Fox in the House**" is hereby disqualified from 2nd place in the 9th race on July 21, 2015, at SunRay Park The purse redistribution is as follows.

1. Fierce Act
2. Gray Flyer
3. End of Discussion
4. Tiz Worth Believin
5. Adriatic Moon
6. Rupansu
7. Stormin Along
8. Mr. Saturdaynight

Unplaced "**Fox in the House**"

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

Paulk Bovenzy *For Worth* *Linda Salinas*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-60
Track Downs at Albuquerque
Ruling Date: 8/11/2017

Licensee: GONZALEZ, CYNTHIA GUADALUPE
License Type: 2017 3 Year Trainer Applicant Id: 20355
License Number: 284787

Ruling # 2017-DAA-60

Action Type: Initial Ruling

Ruling:

Trainer Cynthia G. Gonzalez, having been duly notified and having waived her right to a 10 day notice and formal hearing before the Board Of Stewards on Aug. 11, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Flunixin (class 4 penalty category C drug) found in test sample NM 27466 taken from the horse "The Downsize" following the 6th race, on July 29, 2017 at The Downs at Albuquerque.

The original lab report indicated a finding of Flunixin at 50.4 ng/ml in the blood, which exceeds the allowable limit of 20.0 ng/ml in the blood. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Cynthia G. Gonzalez.

Licensee is found to be 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 this FIRST Class 4C-Minor medication violation issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed Cynthia G. Gonzalez a penalty as follows:

1. A (\$500.00) FIVE hundred dollar fine to be paid on or before Sep. 11, 2017, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B) (3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

This ruling is written in accordance with:

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."

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
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Ruling #: 2017-DAA-61
Track Downs at Albuquerque
Ruling Date: 8/11/2017

Licensee: BALDERRAMA, DANIEL

License Type: 2017 3 Year Owner Applicant Id: 86314
License Number: 286625

Ruling # 2017-DAA-61

Action Type: Initial Ruling

Ruling:

Owner Daniel Balderrama, having been duly notified and having waived his right to a 10 day notice and formal hearing through his trainer Cynthia G Gonzalez, before the Board Of Stewards on Aug. 11, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Flunixin (class 4 penalty category C drug) found in test sample NM 27466 taken from the horse "The Downsize" following the 6th race, on July 29, 2017 at The Downs at Albuquerque.

The original lab report indicated a finding of Flunixin at 50.4 ng/ml in the blood, which exceeds the allowable limit of 20.0 ng/ml in the blood. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer Cynthia G. Gonzalez.

Licensee is found to be 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 this FIRST Class 4C-Minor medication violation issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed Cynthia G. Gonzalez a penalty as follows:

1. A **WARNING** in accordance with 15.2.6.9 (C)(2)(b) NMAC

This ruling is written in accordance with:

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-62
Track Downs at Albuquerque
Ruling Date: 8/12/2017

Licensee: BROWN, DEBRA LOU

License Type: Applicant Id: 3448
License Number:

Ruling # 2017-DAA-62

Action Type: Initial Ruling

Ruling:

This ruling is done in error. The security citation had the wrong persons name on it and no license #.

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-63
Track Downs at Albuquerque
Ruling Date: 8/12/2017

Licensee: BROWNRIGG, DEBORAH L
License Type: 2017 1 Year Assistant Applicant Id: 14951
License Number: 285639

Ruling # 2017-DAA-63

Action Type: Initial Ruling

Ruling:

Assistant Trainer Deborah Brownrigg having waived her right to a ten day notice and formal hearing on **August 11, 2017** concerning a security citation for having a dog on the backside is found in violation of Commission rules.

Licensee is found to be in violation of:

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”

This ruling is written in accordance with:

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.

For this rule violation, the Board of Stewards assessed **Deborah Brownrigg** a penalty in the amount of **Twenty Five dollars (\$25.00)**. This fine is to be paid on or before **September 11, 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.

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-64
Track Downs at Albuquerque
Ruling Date: 8/12/2017

Licensee: GONZALEZ, ANDRES S
License Type: 2017 3 Year Trainer Applicant Id: 28171
License Number: 285598

Ruling # 2017-DAA-64

Action Type: Initial Ruling

Ruling:

Trainer Andres S. Gonzalez, having been duly notified and having waived his right to a 10 day notice and formal hearing before the Board Of Stewards on Aug. 11, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Flunixin (class 4 penalty category C drug) found in test sample NM 27456 taken from the horse "Simply La Jolla" following the 8th race, on July 28, 2017 at The Downs at Albuquerque.

The original lab report indicated a finding of Flunixin at 25.1 ng/ml in the blood, which exceeds the allowable limit of 20.0 ng/ml in the blood. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Andres S. Gonzalez.

Licensee is found to be 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 this 1st Class 4C-Minor medication violation issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed Andres S. Gonzalez a penalty as follows:

1. A **(\$250.00) Two hundred and fifty dollar fine to be paid on or before Sep. 12, 2017**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

This ruling is written in accordance with:

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."

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.

Paul Bovenz *For Walk* *Linda Salinas*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-65
Track Downs at Albuquerque
Ruling Date: 8/12/2017

Licensee: CARRETTE, JR FAUSTINO ELOY

License Type: 2016 3 Year Owner Applicant Id: 20148
License Number: 282822

Ruling # 2017-DAA-65

Action Type: Initial Ruling

Ruling:

Owner license issued to **Faustino Eloy Carrette Jr.** is hereby rescinded. **He** no longer owns a Race horse
And has no papers on file as an owner.

Narrative The correct spelling for the licensee is **Faustino Eloy Carrete Jr.**

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

16.47.1.8 (A)(2) 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.

Patrick Bovenzi Ron Walk Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-66
Track Downs at Albuquerque
Ruling Date: 8/12/2017

Licensee: CAMACHO, GABRIELLA

License Type: 2016 3 Year Owner Applicant Id: 35167
License Number: 280859

Ruling # 2017-DAA-66

Action Type: Initial Ruling

Ruling:

Owner Gabriella Camacho, having been duly notified and having waived her right to a 10 day notice and formal hearing through her trainer Andres S. Gonzalez, before the Board Of Stewards on Aug. 11, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Flunixin (class 4 penalty category C drug) found in test sample NM 27456 taken from the horse "Simply La Jolla" following the 8th race, on July 28, 2017 at The Downs at Albuquerque.

The original lab report indicated a finding of Flunixin at 25.1 ng/ml in the blood, which exceeds the allowable limit of 20.0 ng/ml in the blood. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer Andres S. Gonzalez.

Licensee is found to be 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 this FIRST Class 4C-Minor medication violation issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed Gabriella Camacho a penalty as follows:

1. A WARNING in accordance with 15.2.6.9 (C)(2)(b) NMAC

This ruling is written in accordance with:

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.

Robert Baverly Lon Walsh Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-DAA-67
Track Downs at Albuquerque
Ruling Date: 8/12/2017

Licensee: FENNELL, ERNEST
License Type: 2015 3 Year Trainer Applicant Id: 34414
License Number: 277642

Ruling # 2017-DAA-67

Action Type: Initial Ruling

Ruling:

Trainer: Ernest Fennell having been duly notified, and appeared before the Board of Stewards on **August 12, 2017**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**Bringin the Gray**" entered in the **5th race on July 30, 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 **Ernest Fennell** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **September 11, 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.