



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-68  
Track Downs at Albuquerque  
Ruling Date: 8/16/2017

Licensee: CHAVEZ, HECTOR N.

License Type: 2014 3 Year Trainer      Applicant Id: 33662  
License Number: 174352

Ruling # 2017-DAA-68

Action Type: Initial Ruling

Ruling:

**Trainer: Hector Chavez** having been duly notified, and appeared telephonically before the Board of Stewards on **August 16, 2017**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**El Rattler**" entered in the **1st race on August 13, 2017 at Downs at Albuquerque Racetrack.**

Narative: The Flipping halter was put on at the gate

**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 **Hector Chavez** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **September 13, 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-69  
Track Downs at Albuquerque  
Ruling Date: 8/16/2017

Licensee: COX, SHAE LARA

License Type: 2016 3 Year Trainer      Applicant Id: 6315  
License Number: 282198

Ruling # 2017-DAA-69

Action Type: Initial Ruling

Ruling:

**Trainer: Shae L. Cox** having been duly notified, and appeared telephonically before the Board of Stewards on **August 16, 2017**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**Kaydns Krusader**" entered in the **4TH** race on **August 13, 2017** at **Downs at Albuquerque Racetrack**.

Narative: The flipping halter was put on at the gate

**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 **Shae L. Cox** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **September 13, 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  
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Ruling #: 2017-DAA-70  
Track Downs at Albuquerque  
Ruling Date: 8/16/2017

Licensee: ESTRADA-DOMINGUEZ, MANUEL

License Type: 2016 3 Year Jockey      Applicant Id: 159083  
License Number: 283041

Ruling # 2017-DAA-70

Action Type: Initial Ruling

Ruling:

Jockey, **Manuel Estrada**, having been summoned and having appeared before the Board of Stewards on **August 16, 2017**, for careless riding during the running of the **3rd race on August 13, 2017**, at The Downs at Albuquerque Racetrack while aboard "**A Secret li Remember**" which resulted in his mount being disqualified from fifth place to last (Drifted in mid stretch crowding the inside horses #4#3#2 #1 who all had to check there horses and alter course as the #5 went down to the rail.)

Licensee is found in violation of:

**15.2.5.13(E)(2)(a) NMAC: Post to Finish** Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

**15.2.5.13(E)(3)(d) NMAC: Post to Finish (d)** In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse.

This ruling is written in accordance with:

**15.2.5.13(E)(3)(c) NMAC: Post to Finish** Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

**15.2.5.13(E)(3)(d) NMAC: Post to Finish** The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

**15.2.5.13(E)(4)(a) NMAC Disqualification.** When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last

For this violation, the Board of Stewards assessed **Manuel Estrada** a suspension of **3 race days (August 23, 2017, August 25, 2017, August 26, 2017)**. **Manuel Estrada** is allowed to ride designated races.

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 Borey*

*Don Walker*

*Linda Salinas*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-71  
Track Downs at Albuquerque  
Ruling Date: 8/19/2017

Licensee: BORREGO, ALFONSO

License Type: 2015 3 Year Trainer      Applicant Id: 15194  
License Number: 279104

Ruling # 2017-DAA-71

Action Type: Initial Ruling

Ruling:

Trainer, Alfonso Borrego, having appeared before the Board of Stewards with attorney Helene Garduno Dobbins on August 18, 2017, for an altercation in the barn area at The Downs in Albuquerque, on Sunday July 16, 2017. Alfonso Borrego is found to be in violation of 16.47.8(L)(i) NMRC rules.

Licensee is found to be in violation of:

**16.47.8.(L) NMAC: GROUNDS FOR DISCIPLINARY MEASURES FOR A LICENSEE, AND REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE:**

*(i) in part: a person whose conduct or reputation may adversely reflect the orderly conduct of a race meeting....shall include disruptive or intemperate behavior which exposes others to danger anywhere on the racetrack grounds.*

For this violation, the Board of Stewards issue the following penalty:

1. A 90 day suspension of any/all New Mexico Racing Commission licenses, effective **Aug. 29, 2017 through Nov. 26, 2017 inclusive.**
2. A **(\$2000.00) Two Thousand dollar fine.** The fine is to paid on or before **Sep. 19, 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.

In accordance with 15.2.1.9 (C)(21) Exclusion, Alfonso Borrego is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC and **all horses owned, trained, or under the care of Alfonso Borrego are denied further entry.**


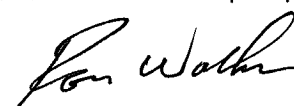

This ruling is written in accordance with:

16.47.1.8 (L)(1)(i) - 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:

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



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-72  
Track Downs at Albuquerque  
Ruling Date: 8/19/2017

Licensee: MERAZ, JUAN RAMON

License Type: 2015 3 Year Trainer      Applicant Id: 30670  
License Number: 278644

Ruling # 2017-DAA-72

Action Type: Initial Ruling

Ruling:

Trainer **Juan Meraz** having been duly notified, and appeared before the Board of Stewards Aug. 16, 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 204 pg/ml in the horse "**Chicks in Chains**" (Test Sample #: NM27223), who finished 1st in the 5th race on June 25, 2017, at The Downs at Albuquerque. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded and confirmed by Industrial Labs at 185 pg/ml.

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 **Juan Meraz'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 30 day suspension of all NMRC licenses starting Aug. 16, 2017, through Sep. 15, 2017, inclusive.**

**2. A (\$750.00) Seven hundred fifty dollar fine to paid on or before Sep. 15, 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 "**Chicks in Chains**" is placed on the Stewards list for a minimum period of 60 days (beginning **July 11, 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, **Juan Meraz** 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 Meraz** 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**

**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  
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Ruling #: 2017-DAA-73  
Track Downs at Albuquerque  
Ruling Date: 8/19/2017

Licensee: MARTINEZ, DANNY EDWARD

License Type: 2017 3 Year Trainer      Applicant Id: 15993  
License Number: 285593

Ruling # 2017-DAA-73

Action Type: Initial Ruling

Ruling:

Trainer **Danny E. Martinez** having been duly notified, appeared, and had his hearing held, in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **August 19, 2017**, for failure to have his entry, "**Mercedes Starlett**" in the paddock at the designated time for the 1ST race on August 18, 2017, at The Downs at Albuquerque Racetrack.

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

**16.47.1.10 (C) (22)** presenting his/her horse 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;

For this rule violation, the Board of Stewards assessed **Danny E. Martinez** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **September 18, 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.

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-74  
Track Downs at Albuquerque  
Ruling Date: 8/19/2017

Licensee: ARENIVAS, ANGELICA M

License Type: 2015 3 Year Owner      Applicant Id: 157387  
License Number: 277378

Ruling # 2017-DAA-74

Action Type: Initial Ruling

Ruling:

Owner **Angelica Arenivas** having been duly notified, and appeared through trainer Juan Meraz before the Board of Stewards Aug. 16, 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 204 pg/ml in the horse "**Chicks in Chains**" (**Test Sample #: NM27223**), who finished 1st in the 5th race on June 25, 2017, at The Downs at Albuquerque. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and confirmed by Industrial Labs at 185 pg/ml.

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 **Angelica Arenivas'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. 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 "**Chicks in Chains**" is placed on the Stewards list for a minimum period of 60 days (beginning **July 11, 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 "**Chicks in Chains**" is hereby disqualified from **1st Place** and ordered unplaced from the **5th race on June 25, 2017 at The Downs at Albuquerque** for all but pari-mutuel wagering. The purse redistribution is as follows.

1. My Mister Pt
2. Who Cut the Mustard
3. Shesagoodone
4. Jesses Buzz
5. A Secret li Remember
6. Blue Moon Flash
7. Rc Runaway One
8. Amalia Cartel

Unplaced "Chicks in Chains"

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)(I) 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

*Patrick Barenz*      *Bob Walth*      *Linda Salinas*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-75  
Track Downs at Albuquerque  
Ruling Date: 8/19/2017

Licensee: ARENIVAS, ADAN

License Type: 2016 3 Year Owner      Applicant Id: 159258  
License Number: 283595

Ruling # 2017-DAA-75

Action Type: Initial Ruling

Ruling:

Owner **Adan Arenivas** having been duly notified, and appeared through trainer Juan Meraz before the Board of Stewards Aug. 16, 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 204 pg/ml in the horse "**Chicks in Chains**" (**Test Sample #: NM27223**), who finished 1st in the 5th race on June 25, 2017, at The Downs at Albuquerque. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and confirmed by Industrial Labs at 185 pg/ml.

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 **Adan Arenivas'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. 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 "**Chicks in Chains**" is placed on the Stewards list for a minimum period of 60 days (beginning **July 11, 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 "**Chicks in Chains**" is hereby disqualified from **1st Place** and ordered unplaced from the **5th race on June 25, 2017 at The Downs at Albuquerque** for all but pari-mutuel wagering. The purse redistribution is as follows.

1. My Mister Pt
2. Who Cut the Mustard
3. Shesagoodone
4. Jesses Buzz
5. A Secret li Remember
6. Blue Moon Flash
7. Rc Runaway One
8. Amalia Cartel

Unplaced "Chicks in Chains"

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

*Patrick Bovenz*      *For Walker*      *Linda Sahiras*





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-76  
Track: Downs at Albuquerque  
Ruling Date: 8/19/2017

Licensee: TAPIA, ADAM A

License Type: 2017 3 Year Trainer      Applicant Id: 19262  
License Number: 285746

Ruling # 2017-DAA-76

Action Type: Initial Ruling

Ruling:

Trainer Adam A. Tapia having been duly notified, and appeared before the Board of Stewards Aug. 16, 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 46 pg/ml in the horse "Kick Some Dash" (Test Sample #: NM27222), who finished 2nd in the 4th race on June 25, 2017, at The Downs at Albuquerque. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded and confirmed by Industrial Labs at 47.1 pg/ml.

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 Adam A. Tapia 2nd 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 45 day suspension of all NMRC licenses starting Aug. 16, 2017, through Sep. 29, 2017, inclusive.

2. A (\$1000.00) One Thousand dollar fine to paid on or before Sep. 15, 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 "Chicks in Chains" is placed on the Stewards list for a minimum period of 60 days (beginning July 11, 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, Adam A. Tapia 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 Adam A. Tapia 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

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

*Barack Barenz*

*Ron Walk*

*Linda Salinas*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-77  
Track Downs at Albuquerque  
Ruling Date: 8/19/2017

Licensee: BARTON, DALLAS JAY

License Type: 2016 3 Year Trainer      Applicant Id: 18739  
License Number: 280496

Ruling # 2017-DAA-77

Action Type: Initial Ruling

Ruling:

Trainer **Dallas J. Barton** having been duly notified and had his hearing telephonically in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **August 19, 2017**, for failure have his entry, "**Katydid**" in the paddock at the designated time for the 1ST race on August 18, 2017, at The Downs at Albuquerque Racetrack.

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

**16.47.1.10 (C) (22)** presenting his/her horse 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;

For this rule violation, the Board of Stewards assessed **Dallas J. Barton** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **September 18, 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.

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-78  
Track Downs at Albuquerque  
Ruling Date: 8/19/2017

Licensee: CARRILLO, JORGE LUIS

License Type: 2017 3 Year Owner      Applicant Id: 29712  
License Number: 285465

Ruling # 2017-DAA-78

Action Type: Initial Ruling

Ruling:

Owner **Jorge L. Carnillo** having been duly notified, and appeared with trainer Adam Tapia before the Board of Stewards Aug. 16, 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 46 pg/ml in the horse "**Kick Some Dash**" (**Test Sample #: NM27222**), who finished 2nd in the 4th race on June 25, 2017, at The Downs at Albuquerque. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and confirmed by Industrial Labs at 47.1 pg/ml.

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 **Jorge L. Carnillo's** 2nd 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 "**Kick Some Dash**" is placed on the Stewards list for a minimum period of 60 days (beginning **July 11, 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 "**Kick Some Dash**" is hereby disqualified from **2nd Place** and ordered unplaced from the **4th race on June 25, 2017 at The Downs at Albuquerque** for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Jess Pollitical
2. Famous She Is
3. Witman
4. Magic Corona
5. El Tenedor
6. Miss Pretty Tee
7. A Horse Called Buddy
8. Carters Way to Fly

Unplaced "**Kick Some Dash**"

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

*Patrick Barenz*      *For Walsh*      *Linda Salinas*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-DAA-79  
Track Downs at Albuquerque  
Ruling Date: 8/20/2017

Licensee: GRISHAM, KENNETH MERLE

License Type: 2015 3 Year Trainer      Applicant Id: 7221  
License Number: 226523

Ruling # 2017-DAA-79

Action Type: Initial Ruling

Ruling:

**Trainer Kenneth M. Grisham** having been duly notified appeared Telephonically in accordance with 15.2.1.9(B)(4)(d) , before the Board of Stewards on **August 20 , 2017** for failure to declare equipment (**Blinkers Off**) at time of entry for "**Burning Encore**" entered in the 3rd race on August 18, 2017 at Downs at Albuquerque Racetrack.

Narative: Blinkers were put on at the gate.

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 **Kenneth Grisham** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **September 19, 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-80  
Track Downs at Albuquerque  
Ruling Date: 8/20/2017

Licensee: GONZALEZ, FRANCISCO MORA

License Type: 2017 3 Year Trainer      Applicant Id: 25663  
License Number: 285678

Ruling # 2017-DAA-80

Action Type: Initial Ruling

Ruling:

**Trainer: Francisco Gonzalez** having been duly notified, and appeared telephonically before the Board of Stewards on **August 20, 2017**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**Santiago's Home**" entered in the 4th race on August 18, 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 **Francisco Gonzalez** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **September 19, 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-81  
Track Downs at Albuquerque  
Ruling Date: 8/20/2017

Licensee: LOPEZ, DAVID MICHAEL

License Type: 2017 3 Year Jockey      Applicant Id: 159621  
License Number: 284926

Ruling # 2017-DAA-81

Action Type: Initial Ruling

Ruling:

Jockey, **David Lopez**, having been summoned and having appeared before Board of Stewards on **August 20, 2017**, for careless riding during the running of the 6th race on August 19, 2017, while aboard #3 "L's Choice" which resulted in his mount being disqualified from first place to fourth place. ( at the 1/8 pole, the #3 drifted in as it was being whipped right handed and came over into the lane of the #5 causing the #5 to check and lose its position)

Licensee is found in violation of:

**15.2.5.13(E)(2)(a) NMAC: Post to Finish** Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

**15.2.5.13(E)(3)(a) NMAC:** Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

This ruling is written in accordance with:

**15.2.5.13(E)(3)(c) NMAC: Post to Finish** Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

**15.2.5.13(E)(3)(d) NMAC: Post to Finish** The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

**15.2.5.13(E)(4)(a) NMAC Disqualification.** When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last

For this violation during the 2017 Downs at Albuquerque meet, the Board of Stewards assessed David Lopez a suspension of 3 race days (August 30, 2017, September 1, 2017, September 2, 2017). David Lopez is allowed to ride designated races.

**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