



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-DAA-53
Track Downs at Albuquerque
Ruling Date: 8/1/2018

Licensee: Lull, Richard Edward

License Type: 2018 1 Year Jockey Applicant Id: 159857
License Number: 290263

Ruling # 2018-DAA-53

Action Type: Initial Ruling

Ruling:

Jockey Richard Lull having been duly notified appeared and had his hearing before the Board of Stewards on **July 29, 2018** for disrespect to an official in the Jockeys room.

Licensee is found to be in violation of :

16.47.1.8 (L)(1)(i) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule.

16.47.1.8 (L)(i) NMAC – 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”;

For this rule violation, the Board of Stewards assessed **Richard Lull** a penalty in the amount of **five hundred dollars (\$500.00)**. The fine is to be paid on or before **September 1, 2018** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension

This ruling is written in accordance with:

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 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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."



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-DAA-54
Track Downs at Albuquerque
Ruling Date: 8/1/2018

Licensee: ENRIQUEZ, ISAIAS D.

License Type: 2018 1 Year Jockey Applicant Id: 30304
License Number: 290703

Ruling # 2018-DAA-54

Action Type: Initial Ruling

Ruling:

Jockey Isaias Enriquez having been duly notified appeared and had his hearing before the Board of Stewards on **August 1, 2018** for disrespect to an official in the Jockeys room.

Licensee is found to be in violation of :

16.47.1.8 (L)(1)(i) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule.

16.47.1.8 (L)(i) NMAC – 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”;

For this rule violation, the Board of Stewards assessed **Isaias Enriquez** a penalty in the amount of **five hundred dollars (\$500.00)**. The fine is to be paid on or before **September 1, 2018** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension

This ruling is written in accordance with:

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 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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 #: 2018-DAA-55
Track Downs at Albuquerque
Ruling Date: 8/3/2018

Licensee: ROMAN, JR JAVIER

License Type: 2016 3 Year Trainer Applicant Id: 17950
License Number: 284154

Ruling # 2018-DAA-55

Action Type: Initial Ruling

Ruling:

Trainer **Javier Roman Jr.** having been duly notified appeared Telephonically the Board of Stewards on August 1, 2018 for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**Genuinely Valiant**", entered in the **4th race on July 29, 2018** at The 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.

15.2.6.11(E)(10) Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment and shoes.

For this rule violation, the Board of Stewards assessed **Javier roman Jr.** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **September 3, 2018** 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:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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 #: 2018-DAA-56
Track Downs at Albuquerque
Ruling Date: 8/3/2018

Licensee: TOLEDO, JESUS JOSE

License Type: 2016 3 Year Owner Applicant Id: 23463
License Number: 280728

Ruling # 2018-DAA-56

Action Type: Initial Ruling

Ruling:

Owner **Jesus Toledo** appeared for a hearing before the board of Stewards on **July 28, 2018** for Security Citation leading to probable cause for search of the tack room where Mr. Toledo stays on **Friday 7/13/2018** and testing positive for Meth.

This conduct has resulted in charges against you, that you have violated the following Statutes or Rules:

16.47.1.17 HUMAN DRUG TESTING:

B. Prohibited actions: All licensees shall be deemed to be exercising the privileges of their license, and to be subject to the requirements of these rules, when engaged in activities that could affect the outcome of a race or diminish the conditions of safety or decorum required in restricted areas.

C. Restricted activities: It shall be an offense to exercise the privileges granted by a license from this commission if the licensee:

(2) possesses, without a valid prescription, a controlled substance;

(3) is intoxicated or under the influence of alcohol or a controlled substance;

(5) has in his/her possession within the enclosure any equipment, products or materials of any kind which are used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled dangerous substance;

(7) presently has drugs (controlled substances) or alcohol in his/her body..... With regard to other controlled substances, presence of the drug in any quantity measured by the testing instrument establishes the presence of the drug for purposes of this paragraph.....

16.47.1.19 ASSESSMENT/TREATMENT REQUIREMENTS:

A. General: A licensee penalized or restricted pursuant to this chapter shall retain rights of due process with respect to any determination of alleged violations which may adversely affect the right to hold a license. If there has been an offense, under 16.47.1.17 NMAC, above, the procedures in Subsections B, C and D of 16.47.1.18 NMAC will be followed.

B. First-time offenders:

(1) The board of stewards or the commission may, at its discretion, order the licensee to obtain a professional assessment to determine whether there is a substantial probability that the licensee is dependent on, or abuses, alcohol or other drugs or the board of stewards or the commission may act on the information at hand.

(2) Actions in the case of first offenders may include revocation of the license, suspension of the license for up to six months, placing the offender on probation for up to 90 days or ordering formal assessment and treatment.

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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds. The fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule."

For this violation, the Board of Stewards issue **Jesus Toledo** a penalty as follows:

1. A 180 day suspension of all NMAC licenses starting August 7, 2018 through February 3, 2019, inclusive.
2. Other disciplinary action imposed is to undergo formal assessment and a treatment program.
3. A formal contract indicating the elements of the treatment and follow-up program that will be completed by the licensee and, upon completion, certified to the board of stewards or the commission as completed.
4. The licensee will be referred to the commission for reinstatement.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-DAA-56
Track Downs at Albuquerque
Ruling Date: 8/3/2018

Licensee: TOLEDO, JESUS JOSE

License Type: 2016 3 Year Owner Applicant Id: 23463
License Number: 280728

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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 #: 2018-DAA-57
Track Downs at Albuquerque
Ruling Date: 8/4/2018

Licensee: JOHNSON, TAMMY KAY

License Type: 2016 3 Year Trainer Applicant Id: 12439
License Number: 282366

Ruling # 2018-DAA-57

Action Type: Initial Ruling

Ruling:

Trainer **Tammy Kay Johnson** having been duly notified appeared telephonically before the Board of Stewards on August 4, 2018 regarding a security citation for working unlicensed help (in the test barn) July 29, 2018, at The downs at Albuquerque Race Track.

Licensee is found to be in violation of:

16.47.1.8 (G)(I) Which states in pertinent part "The employment of any unlicensed person under the jurisdiction of the Commission is prohibited".

The Board of Stewards assessed **Tammy kay Johnson** a penalty in the amount of **two hundred dollars (\$200)**. The fine is to be paid on or before **September 4, 2018** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay this fine within the time prescribed will result in immediate suspension.

This ruling is written in accordance with:

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY

15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (a)(c)(d) Stewards General Authority

16.47.1.8 (T) KNOWLEDGE OF RULES

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required

16.47.1.8(N) Last Known Address

16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

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 #: 2018-DAA-58
Track Downs at Albuquerque
Ruling Date: 8/5/2018

Licensee: QUIROZ, FILIBERTO TEJEDA

License Type: 2017 3 Year Trainer Applicant Id: 159461
License Number: 285106

Ruling # 2018-DAA-58

Action Type: Initial Ruling

Ruling:

Trainer **Filiberto Quiroz** having been duly notified appeared telephonically before the Board of Stewards on **August 4, 2018**, for failure to have his entries, "**Blazin Jeffery**" and "**Borrachos Dream**" in the paddock at the designated time for the **8th race** on **July 29, 2018**, 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 a penalty in the amount of **Two hundred dollars (\$200.00)**. The fine is to be paid on or before **September 4, 2018**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(a) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
16.47.1.8(N) Last Known Address

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 #: 2018-DAA-59
Track Downs at Albuquerque
Ruling Date: 8/5/2018

Licensee: VALLES, RODOLFO GUADALUPE

License Type: 2018 3 Year Trainer Applicant Id: 33090
License Number: 291181

Ruling # 2018-DAA-59

Action Type: Initial Ruling

Ruling:

Trainer, **Rodolfo G. Valles**, having been duly notified appeared telephonically before the Board of Stewards on **August 5, 2018**, for entering the horse "**Boomtiderock**" in a race at another track, which resulted in a scratch from the 4th race on August 5, 2018, at The Downs at Albuquerque Racetrack.

Licensee is found to be in violation of:

15.2.5.8(B) (7) No horse may be entered in more than one race (with the exception of stakes races) to be run on the same day at the same track on which pari-mutuel wagering is conducted. If a horse is entered in more than one stakes race to be run on the same day, at the time of draw, the trainer must declare which race the horse will run in.

For this rule violation, the Board of Stewards assessed a penalty in the amount of **Two hundred dollars (\$200.00)**. The fine is to be paid on or before **September 4, 2018**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(a) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
16.47.1.8(N) Last Known Address

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 #: 2018-DAA-60
Track Downs at Albuquerque
Ruling Date: 8/8/2018

Licensee: CARRETE, JESUS J.

License Type: 2018 3 Year Trainer Applicant Id: 3671
License Number: 289520

Ruling # 2018-DAA-60

Action Type: Initial Ruling

Ruling:

Trainer **Jesus J. Carrete** having been duly notified telephonically and waived his hearing before the Board of Stewards on **August 8, 2018** for failing to have the owner licensed for entry "**Mister Alegre**", which resulted in a late scratch out of the 9th race on August 4, 2018, at The Downs at Albuquerque Racetrack.

Licensee is found to be in violation of:

15.2.5.12(X) Horse ineligible Which states in pertinent part "A horse shall be ineligible to start in a race when its Owner, Lessor, and/or Trainer have not completed the licensing procedures required by the Commission".

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

16.47.1.10 (C)(16) Trainer Responsibility The Trainer is responsible for disclosure of the true and entire ownership of each horse in their care, custody or control; any change in ownership must be reported immediately to, and approved by, the stewards and recorded by the racing secretary

For this violation, the Board of Stewards assessed **Jesus J. Carrete** a fine in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **September 8, 2018** in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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 #: 2018-DAA-61
Track Downs at Albuquerque
Ruling Date: 8/8/2018

Licensee: SOTO, JESUS M

License Type: 2016 3 Year Trainer Applicant Id: 32730
License Number: 283738

Ruling # 2018-DAA-61

Action Type: Initial Ruling

Ruling:

Owner and Trainer: **Jesus M. Soto.**, having been duly notified, and appeared telephonically before the Board of Stewards, waived his right to a hearing, on August 8, 2018, regarding a confirmed positive test for the Class III drug "Clenbuterol", in sample **E276260**, after it was collected from the horse "**Kissin Coronas**" which finished 2nd in the 1st race, July 1, 2018, at the Downs at Albuquerque Race Track; Jesus M. Soto waived his rights to a hearing.
(The original lab report indicated a finding of Clenbuterol in the urine. Split sample rights, as provided in 15.2.6.10(D) NMAC were offered and refused.

Licensee is found in violation of:

15.2.6.9(C)(1) 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. 15.2.6.9(C)(3) NMAC:

There is no permissible concentration of clenbuterol that is allowed to appear in any official sample.

For this a **First - Class 3B medication violation** the Board of Stewards assessed to **Jesus M. Soto** a penalty as follows.

1. **A 30 day suspension of all NMRC licenses starting August 11, 2018, through September 9, 2018, inclusive.**
2. **Seven hundred and fifty (\$750.00) dollar fine to paid on or before September 7, 2018,** 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 will result in immediate suspension.
3. **Pursuant to rules 15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(C)(7), the horse "Kissin Coronas" is placed on the Stewards list for a minimum period of 60 days (beginning July 17, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until it passes a commission approved veterinary examination with a negative blood and urine test.**
4. **The horse "Kissin Coronas" is hereby disqualified from Second Place and ordered unplaced from the 1st race on July 1, 2018 at the Downs at Albuquerque Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.**

1. My Hearts Princess
2. Afirstvalianthero
3. Chicka Chicka
4. Lion Speed
5. Venetian Paradise
6. Esohess
7. Jess Dungarees

Unplaced "Kissin Coronas"

This ruling is written in accordance with:

15.2.6.11(A) NMAC: Trainer Responsibility and 16.47.1.10(B)(1) NMAC: Absolute Insurer Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

15.2.3.8(B)(3)(k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

15.2.5.13(E)(4)(d) NMAC: Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

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 #: 2018-DAA-62
Track Downs at Albuquerque
Ruling Date: 8/10/2018

Licensee: FLORES, MARCO A.

License Type: 2018 3 Year Trainer Applicant Id: 33697
License Number: 288782

Ruling # 2018-DAA-62

Action Type: Initial Ruling

Ruling:

Trainer **Marco A. Flores** having been duly notified appeared Telephonically the Board of Stewards on August 10, 2018 for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**Xochilts Eagle Kid**", entered in the **6th race on August 5, 2018** at The 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.

15.2.6.11(E)(10)Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment and shoes.

For this rule violation, the Board of Stewards assessed **Marco A. Flores** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **September 10, 2018** 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:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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 #: 2018-DAA-63
Track Downs at Albuquerque
Ruling Date: 8/10/2018

Licensee: RODRIGUEZ, ISIDRO JAVIER
License Type: 2017 3 Year Trainer Applicant Id: 31743
License Number: 288342

Ruling # 2018-DAA-63

Action Type: Initial Ruling

Ruling:

Trainer **Isidro Rodriguez** having been duly notified appeared Telephonically before the Board of Stewards on August 10, 2018 for failure to declare equipment (**Flipping Halter On**) at time of entry for "**Heza Wild Dragon**", entered in the **7th race on August 5, 2018** at The 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.
15.2.6.11(E)(10) **Trainer Responsibility** The trainer is responsible for ensuring proper bandages, equipment and shoes.

For this rule violation, the Board of Stewards assessed **Isidro Rodriguez** a penalty in the amount of **two hundred dollars (\$ 200.00)**. The fine is to paid on or before **September 10, 2018** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

This ruling is written in accordance with:

- 15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(a) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
16.47.1.8(N) Last Known Address

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 #: 2018-DAA-64
Track Downs at Albuquerque
Ruling Date: 8/10/2018

Licensee: GOMEZ, REYES MANUEL

License Type: 2018 3 Year Jockey Applicant Id: 86400
License Number: 289615

Ruling # 2018-DAA-64

Action Type: Initial Ruling

Ruling:

Jockey **Reyes Gomez**, having been duly notified, appeared before the Board of Stewards on **August 10, 2018**, regarding his excessive use of the whip during the running of the 4th race on August 8, 2018 at The Downs at Albuquerque Race Track.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) NMAC Notice Except as provided by these rules regarding summary suspension, jockey riding infractions and trial races, the stewards or a racing commission designee shall provide written notice, at least 10 days before the hearing, to a person who is the subject of a disciplinary hearing. The person may waive their right to 10 days notice by executing a written waiver.

For this rule violation, the Board of Stewards assessed **Reyes Gomez** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **September 10, 2018**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed will result in immediate suspension.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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 #: 2018-DAA-65
Track Downs at Albuquerque
Ruling Date: 8/10/2018

Licensee: MEDELLIN, ALEJANDRO HERRERA
License Type: 2016 3 Year Jockey Applicant Id: 31173
License Number: 280673

Ruling # 2018-DAA-65

Action Type: Initial Ruling

Ruling:

Jockey **Alejandro Medellin** having been summoned and having appeared before the Board of Stewards on **August 10, 2018**, for standing up before the finish line with no cause in the 6th race on August 8, 2018, at The Downs at Albuquerque, is found to be in violation of Commission rules.

Licensee is found in violation of:

15.2.5.13 (E) POST TO FINISH

- (5) Horses shall be ridden out. All horses shall be ridden out in every race. A jockey shall not ease up or coast to the finish, without adequate cause, even if the horse has no apparent chance to win the prize money.

The Board of Stewards hereby assesses, **Alejandro Medellin**, a fine in the amount of **two hundred dollars, (\$200.00)**. This fine is to be paid on or before **September 10, 2018** in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

This ruling is written in accordance with

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1)(d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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 #: 2018-DAA-66
Track Downs at Albuquerque
Ruling Date: 8/11/2018

Licensee: PEREZ, MIGUEL ANGEL

License Type: 2018 3 Year Jockey Applicant Id: 31329
License Number: 289006

Ruling # 2018-DAA-66

Action Type: Initial Ruling

Ruling:

Jockey **Miguel A. Perez** having been summoned and having appeared before the Board of Stewards on **August 11, 2018**, for standing up before the finish line with no cause in the 2nd race on August 8, 2018, at The Downs at Albuquerque, is found to be in violation of Commission rules.

Licensee is found in violation of:

15.2.5.13 (E) POST TO FINISH

- (5) Horses shall be ridden out. All horses shall be ridden out in every race. A jockey shall not ease up or coast to the finish, without adequate cause, even if the horse has no apparent chance to win the prize money.

The Board of Stewards hereby assesses, **Miguel A. Perez**, a fine in the amount of **two hundred dollars, (\$200.00)**. This fine is to be paid on or before **September 11, 2018** in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

This ruling is written in accordance with

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1)(d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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 #: 2018-DAA-67
Track Downs at Albuquerque
Ruling Date: 8/11/2018

Licensee: TRUJILLO, JEFFERY J.

License Type: 2016 3 Year Trainer Applicant Id: 18478
License Number: 280876

Ruling # 2018-DAA-67

Action Type: Initial Ruling

Ruling:

Trainer Jeffrey J. Trujillo having been duly notified telephonically and waived a hearing before the Board of Stewards on **August 11, 2018**, for failure to declare equipment (**Blinkers Off**) at time of entry for "**Back Seat Hero**", entered in the 3rd race on August 10, 2018 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.

15.2.6.11(E)(10)Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment and shoes.

For this rule violation, the Board of Stewards assessed **Jeffery J. Trujillo** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **September 10, 2018** 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:

15.2.3.8 B (3)(I) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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 #: 2018-DAA-68
Track Downs at Albuquerque
Ruling Date: 8/12/2018

Licensee: GILES, WESLEY T
License Type: 2016 3 Year Trainer Applicant Id: 21313
License Number: 284440

Ruling # 2018-DAA-68

Action Type: Initial Ruling

Ruling:

Trainer **Wes T. Giles** having been duly notified appeared Telephonically before the Board of Stewards on August 12, 2018 for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**Enb Uptown Funk**", entered in the **8th race on August 11, 2018** at The 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.

15.2.6.11(E)(10)Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment and shoes.

For this rule violation, the Board of Stewards assessed **Wes T. Giles** a penalty in the amount of **two hundred dollars (\$ 200.00)**. The fine is to paid on or before **September 12, 2018** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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.