



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-DAA-69
Track Downs at Albuquerque
Ruling Date: 8/15/2018

Licensee: ESCOBAR, VICTOR

License Type: 2016 3 Year Jockey Applicant Id: 25459
License Number: 282813

Ruling # 2018-DAA-69

Action Type: Initial Ruling

Ruling:

The Jockey license #282813 issued to Victor Escobar is hereby rescinded without prejudice, having terminated employment and no longer working in this licensed capacity.

This ruling is in accordance with:

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

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-70
Track Downs at Albuquerque
Ruling Date: 8/15/2018

Licensee: BEN, GILBERT
License Type: 2018 1 Year Owner Applicant Id: 15724
License Number: 289476

Ruling # 2018-DAA-70

Action Type: Initial Ruling

Ruling:

Trainer/Owner: Gilbert Ben, having been duly notified, having failed to appear, and had **his** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Board of Stewards on **August 15, 2018**, for alteration of federal forms (health certificate) Colorado Certificate of Veterinary Inspection, certificate number #8754572317829 for the horse "**My Man Richie**" on July 17, 201, at The Downs at Albuquerque.

Licensee is found to be in violation of:

5.2.1.9 (B)(4) (d) Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

Licensee is found to be in violation of: 16.47.1.8(L)(1)(f) CONDUCT MAKING FALSE OR MISLEADING STATEMENTS 16.47.1.8 (L)(1)(i) – CONDUCT DETRIMENTAL TO HORSE RACING

This penalty has aggravating Circumstances: Gilbert Ben falsified the health certificate by adding the horse "My Man Richie" that was not inspected by the veterinarian.

After hearing testimony and presenting evidence the Board of Stewards issued **Gilbert Ben** a penalty of:

1. A fine in the amount of **two thousand and five hundred dollars (\$2,500.00)**. The fine is to be paid on or before **September 15, 2018**, in accordance with

15.2.3.8(B)(3)(l). Failure to pay the fine within the time prescribed will result in immediate suspension.

2. A 6 month suspension of all NMRC licenses starting August 25, 2018, through February 20, 2019 inclusive.

3. During said time of applicable suspension, **Gilbert Ben** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC., in accordance with 15.2.1.9 (C)(21)(a-b). Additionally, effective upon applicable suspension dates, all horses owned or under the care of **Gilbert Ben** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c).

Licensee is found to be in violation of: 16.47.1.8(L)(1)(f) CONDUCT MAKING FALSE OR MISLEADING STATEMENTS 16.47.1.8 (L)(1)(i) – CONDUCT DETRIMENTAL TO HORSE RACING **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/15.2.1.9(B)(9)(a) Failure to Appeal 15.2.1.9(B)(9)(b):

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-71
Track Downs at Albuquerque
Ruling Date: 8/17/2018

Licensee: VEGA, FRANCISCO
License Type: 2018 1 Year Owner Applicant Id: 161266
License Number: 290921

Ruling # 2018-DAA-71

Action Type: Initial Ruling

Ruling:

Owner Francisco Vega License #161266, is hereby suspended without prejudice beginning August 17, 2018 having been duly notified telephonically before the Board of Stewards on August 17, 2018, at The Downs at Albuquerque, for failing to provide fingerprints.

16.47.1.8 GENERAL PROVISIONS:

A. Licenses required: A person as defined by Subsection P, Paragraph (7) of 15.2.1.7 NMAC shall not participate in pari mutuel racing under the jurisdiction of the commission, or be employed by an association who is a gaming operator, without a valid license issued by the commission. (1) License categories shall include the following and others

C (3) License applicants shall be required to furnish to the commission a set(s) of fingerprints and a recent photograph. Any license applicant that is under the age of 18 years of age is exempt from the requirement to submit fingerprint cards.

- (a) All license applicants shall be required to be re-fingerprinted every six years and re-photographed periodically as determined by the commission.
- (b) Requirements for fingerprints may be fulfilled by:
 - (i) submission of fingerprints; or
 - (ii) verification that fingerprints were submitted for processing;
 - (iii) submission of a fingerprint reciprocity affidavit; or
 - (iv) provide proof of licensure from another jurisdiction to which fingerprints were submitted within the last six years.

This ruling is written in accordance with:

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

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

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-72
Track Downs at Albuquerque
Ruling Date: 8/17/2018

Licensee: RIESGO, MARTIN JOSEPH
License Type: 2018 1 Year Owner Applicant Id: 161198
License Number: 290676

Ruling # 2018-DAA-72

Action Type: Initial Ruling

Ruling:

Owner Martin J. Riesgo License #161198, is hereby suspended without prejudice beginning August 17, 2018 having been duly notified telephonically before the Board of Stewards on August 17, 2018, at The Downs at Albuquerque, for failing to provide fingerprints.

16.47.1.8 GENERAL PROVISIONS:

A. Licenses required: A person as defined by Subsection P, Paragraph (7) of 15.2.1.7 NMAC shall not participate in pari mutuel racing under the jurisdiction of the commission, or be employed by an association who is a gaming operator, without a valid license issued by the commission. (1) License categories shall include the following and others

C (3) License applicants shall be required to furnish to the commission a set(s) of fingerprints and a recent photograph. Any license applicant that is under the age of 18 years of age is exempt from the requirement to submit fingerprint cards.

- (a) All license applicants shall be required to be re-fingerprinted every six years and re-photographed periodically as determined by the commission.
- (b) Requirements for fingerprints may be fulfilled by:
 - (i) submission of fingerprints; or
 - (ii) verification that fingerprints were submitted for processing;
 - (iii) submission of a fingerprint reciprocity affidavit; or
 - (iv) provide proof of licensure from another jurisdiction to which fingerprints were submitted within the last six years.

This ruling is written in accordance with:

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

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-73
Track: Downs at Albuquerque
Ruling Date: 8/18/2018

Licensee: HUDSON, JEFFERY DALE
License Type: 2017 3 Year Owner Applicant Id: 14485
License Number: 286506

Ruling # 2018-DAA-73

Action Type: Initial Ruling

Ruling:

Trainer/Owner: **Jeff D. Hudson** was duly notified, appeared and waived his right to a hearing, before the Board of Stewards on **August 17, 2018**. The hearing was in regard to a certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** for a confirmed positive for the (class 4 penalty C Major) drug "**Dexamethasone**" in horse "**Silver Chariot**" (Test Sample #: **E276301**) who **finished SECOND place in the 6th race on July 4, 2018, at the Downs at Albuquerque.**

The certificate of analysis detected "**Dexamethasone**" at a **level of 13.6 pg/ml in the blood, which exceeds the authorized limit of 5 pg/ml. (15.2.6.9 NMAC attachment #4).** Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Jeff D. Hudson.**

Jeff D. Hudson, the owner of record for the horse "**Silver Chariot**", was duly notified. In accordance with **15.2.6.9 (B)(4) Penalty Recommendations**, This is **Jeff D. Hudson's FIRST Class 4C-Major medication violation in a 365-day period.**

For **Jeff D. Hudson's FIRST Class 4-C Major medication violation in a 365-day period**, the Board of Stewards hereby assess a penalty issued in accordance with **15.2.6.9 (B)(4) Penalty Recommendations**, as follows:

1. A (\$1000) One Thousand dollar fine to paid on or before **September 17, 2018**. In accordance with 15.2.3.8 (B)(4)(I) NNRC, failure to pay the fine in the prescribed time will result in an immediate suspension.
2. **In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution**, the horse "**Silver Chariot**" is hereby disqualified from **SECOND place** and ordered unplaced from the **6th race on July 4, 2018, at the Downs at Albuquerque** for all but pari-mutuel wagering. The purse redistribution is as follows.

- | | |
|---------------------|----------------------|
| 1) Credit Memo | 7. W F All That Jazz |
| 2) Quin to Win | 8. Ritzy Racer |
| 3) Pro Bro | 9. Domes Star |
| 4) Cordes | 10. Roll Henny |
| 5) Freeze Em's Road | |
| 6) Rapper Storm | |

Unplaced "**Silver Chariot**"

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations **15.2.1.9(B)(9)(b): 15.2.5.13(E)(4)(d) Purse Redistribution**

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-74 - A
Track: Downs at Albuquerque
Ruling Date: 8/18/2018

Licensee: ITURRALDE, OSMAN
License Type: 2016 3 Year Trainer Applicant Id: 33054
License Number: 281501

Ruling # 2018-DAA-74

Action Type: Initial Ruling

Ruling:

Trainer/Owner: Osman Iturralde was duly notified, appeared and waived his right to a hearing, before the Board of Stewards on August 17, 2018. The hearing was in regard to a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) for a confirmed positive for the (class 4 penalty C Major) drug "Dexamethasone" in horse "Frostys Sis" (Test Sample #: E276350) who finished Third place in the 7th race on July 7, 2018, at the Downs at Albuquerque.

The certificate of analysis detected "Dexamethasone" at a level of 18.9 pg/ml in the blood, which exceeds the authorized limit of 5 pg/ml. (15.2.6.9 NMAC attachment #4). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Osman Iturralde.

Osman Iturralde, the owner of record for the horse "Frostys Sis", was duly notified. In accordance with 15.2.6.9 (B)(4) Penalty Recommendations, This is Osman Iturralde's FIRST Class 4C-Major medication violation in a 365-day period.

For Osman Iturralde's FIRST Class 4C-Major medication violation in a 365-day period, the Board of Stewards hereby assess a penalty, issued in accordance with 15.2.6.9 (B)(4) Penalty Recommendations, as follows:

1. A (\$1000.00) OneThousand dollar fine to paid on or before September 17, 2018. In accordance with 15.2.3.8 (B)(4)(I) NNRC, failure to pay the fine in the prescribed time will result in an immediate suspension.
2. **In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution**, the horse "Frostys Sis" is hereby disqualified from Third place and ordered unplaced from the 7th race on July 7, 2018, at the Downs at Albuquerque for all but pari-mutuel wagering. The purse redistribution is as follows.
 - 1) Cc Passion
 - 2) Streak N Cartel
 - 3) Superfly in the Sky
 - 4) Blessing George
 - 5) Ritzy Chick
 - 6) Miss Dock Hill
 7. Goin Express
 8. Maximus C

Unplaced "Frostys Sis"

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations **15.2.1.9(B)(9)(b): 15.2.5.13(E)(4)(d) Purse Redistribution**

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-74
Track: Downs at Albuquerque
Ruling Date: 8/18/2018

Licensee: ITURRALDE, OSMAN

License Type: 2018 3 Year Owner Applicant Id: 33054
License Number: 289545

Ruling # 2018-DAA-74

Action Type: Initial Ruling

Ruling:

Trainer/Owner: Osman Iturralde was duly notified, appeared and waived his right to a hearing, before the Board of Stewards on August 17, 2018. The hearing was in regard to a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) for a confirmed positive for the (class 4 penalty C Major) drug "Dexamethasone" in horse "Frostys Sis" (Test Sample #: E276350) who finished Third place in the 7th race on July 7, 2018, at the Downs at Albuquerque.

The certificate of analysis detected "Dexamethasone" at a level of 18.9 pg/ml in the blood, which exceeds the authorized limit of 5 pg/ml. (15.2.6.9 NMAC attachment #4). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Osman Iturralde.

Osman Iturralde, the owner of record for the horse "Frostys Sis", was duly notified. In accordance with 15.2.6.9 (B)(4) Penalty Recommendations, This is Osman Iturralde's FIRST Class 4C-Major medication violation in a 365-day period.

For Osman Iturralde's FIRST Class 4C-Major medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(4) Penalty Recommendations, as follows:

1. A (\$1000.00) One Thousand dollar fine to paid on or before September 17, 2018. In accordance with 15.2.3.8 (B)(4)(I) NNRC, failure to pay the fine in the prescribed time will result in an immediate suspension.
2. **In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution**, the horse "Frostys Sis" is hereby disqualified from Third place and ordered unplaced from the 7th race on July 7, 2018, at the Downs at Albuquerque for all but pari-mutuel wagering. The purse redistribution is as follows.
 - 1) Cc Passion
 - 2) Streak N Cartel
 - 3) Superfly in the Sky
 - 4) Blessing George
 - 5) Ritzy Chick
 - 6) Miss Dock Hill
 7. Goin Express
 8. Maximus C

Unplaced "Frostys Sis"

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations **15.2.1.9(B)(9)(b): 15.2.5.13(E)(4)(d) Purse Redistribution**

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-75
Track Downs at Albuquerque
Ruling Date: 8/19/2018

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

Ruling # 2018-DAA-75

Action Type: Initial Ruling

Ruling:

Trainer **Isidro Rodriguez** having been notified appeared Telephonically before the Board of Stewards on **August 18, 2018**, for sending an unauthorized person (not the owner of the horse) to the test barn with his entry **Jess Mae Be** after the **7th race on , 2018** at The Downs at Albuquerque.

Licensee is found to be in violation of:

15.2.6.10 (A)(4)REPORTING TO THE TEST BARN: A track security guard shall monitor access to the test barn area during and immediately following each racing performance. All persons who wish to enter the test barn area must be a minimum of 18- years-old, be currently licensed by the commission, display their commission identification badge and have a legitimate reason for being in the test barn area

For this rule violation, the Board of Stewards assessed **Isidro Rodriguez** a penalty in the amount of **One hundred dollars (\$100.00)**. The fine is to be paid on or before **September 19, 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-76
Track Downs at Albuquerque
Ruling Date: 8/19/2018

Licensee: MARQUEZ, JOSE LUIS
License Type: 2018 3 Year Trainer Applicant Id: 23709
License Number: 290102

Ruling # 2018-DAA-76

Action Type: Initial Ruling

Ruling:

Trainer: Jose L. Marquez, having been duly notified, and waived his hearing before the Board of Stewards on **August 19, 2018**, concerning allegations of disorderly conduct in the paddock for the 4th race on July 28, 2018.

For this rule violation, the Board of Stewards assessed **Jose L. Marquez** a penalty of a fine in the amount of \$500 five hundred dollars. This fine is to be paid on or before **September 19, 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.

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 (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

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-77
Track Downs at Albuquerque
Ruling Date: 8/19/2018

Licensee: APODACA, RAMON
License Type: 2017 3 Year Trainer Applicant Id: 29687
License Number: 287947

Ruling # 2018-DAA-77

Action Type: Initial Ruling

Ruling:

Trainer/Pony rider having been duly notified, having appeared and waved his right to a hearing before the Board of Stewards on **August 19, 2018**, concerning an disorderly conduct in the barn area near the test barn.

For this rule violation, the Board of Stewards assessed **Ramon Apodaca** a penalty of a fine in the amount of \$300.00 three hundred dollars. This fine is to be paid on or before **September 19, 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.

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 (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.