



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-ZIA-94  
Track: Zia Park  
Ruling Date: 10/21/2017

Licensee: HERNANDEZ, ERIC GUADALUPE  
License Type: 2017 3 Year Owner      Applicant Id: 19804  
License Number: 287344

Ruling # 2017-ZIA-94  
Action Type: Modified Penalty  
Ruling:

RE: 2017-ZIA-94 - Modified Penalty

**15.2.3.8(B)(1)(e) Stewards Authority** The stewards shall have the authority to amend, revoke, rescind or modify any ruling that they issued in error in accordance with the laws of this state and these rules.

**Owner, Eric Hernandez**, having been duly notified, failing to appear, and had **his** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **October 21, 2017 at Zia Park Racetrack**, for failing to disclose criminal/arrest history on his licensing application.

The Board of Stewards hereby issues the immediate suspension of any/all New Mexico Racing Commission licenses belonging to **Eric Hernandez** (effective immediately **October 21, 2017**). **Furthermore, Eric Hernandez** must appear before the New Mexico Racing Commission for their further review prior to any further participation or applicaiton.

During said time of suspension **Eric Hernandez** is denied access to all grounds under the jurisdiction of the New Mexico Racing Commission in accordance with 15.2.1.9(C)(21)(a) NMAC.

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

**16.47.1.8 (L)(1)(b) GROUNDS FOR DISCIPLINARY MEASURES** The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant has been convicted of violating any law regarding gambling or a controlled dangerous substance.

**16.47.1.8 (L)(1)(d) GROUNDS FOR DISCIPLINARY MEASURES** The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant has failed to disclose or falsely states any information required in the application;

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

**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"

**15.2.3.8 (B)(3)(g) STEWARDS AUTHORITY** The stewards may order that a person be ineligible for licensing; or they may deny a license to an applicant on grounds set forth in the act or these rules.

**15.2.3.8 (B)(3)(j) REFER TO THE COMMISSION** The stewards may refer any matter to the commission and may include recommendations for disposition. The absence of a steward's referral shall not preclude commission action in any matter

**16.47.1.8(L)(2) Written Notice Of Suspension Or Revocation To Licensee And Other Jurisdictions**

**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)(e)(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): 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