



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-31  
Track New Mexico State Fair  
Ruling Date: 9/21/2016

Licensee: VALDEZ, RALPH JOSE

License Type: 2016 3 Year Trainer      Applicant Id: 24990  
Date of Birth: 05/28/1943      License Number: 280950

Ruling # 2016-NMS-31

Action Type: Initial Ruling

Ruling:

Trainer **Ralph J. Valdez** DOB **05/28/1943** having appeared telephonically before the Board of Stewards on September 21, 2016, for necessitating the late scratch of the horse **Almostevenwithewan** from the 8th race on September 18, 2016 without the approval of the Board of Stewards. Licensee is found to be in violation of Commission rules.

For this rule violation, the Board of Stewards assessed a penalty in the amount of two hundred Fifty dollars (\$250.00). The fine is to be paid on or before October 21, 2016 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.

Licensee is found to be in violation of: NMAC

**16.47.1.10 C. OTHER RESPONSIBILITY:** A trainer is responsible for

(17) 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;

(18) horses entered as to eligibility and weight or other allowances claimed

15.2.5.9 B

(2) The scratch of a horse after closing shall be made by the owner, trainer or their licensed designee, with permission from the stewards

(4) No horse may be scratched from an overnight race without approval of the stewards

**16.47.1.8 GENERAL PROVISIONS:**

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of

16.47.1.8(L)(1)(h) NMAC:

Which states that "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."

15.2.1.9(b):

Which states 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 New Mexico State Fair Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-32  
Track New Mexico State Fair  
Ruling Date: 9/21/2016

Licensee: FINCHER, TODD W.

License Type: 2016 3 Year Trainer Applicant Id: 27974

Date of Birth: 08/27/1971 License Number: 280641

Ruling # 2016-NMS-32

Action Type: Initial Ruling

Ruling:

**Owner/Trainer Todd W. Fincher DOB 08/27/2016** having failed to pay the fine assessed in Rulings#2016-RUI-167:at Ruidoso Downs racetrack is found to be in violation of Commission rules.  
**Mr. Fincher** failed to pay his fine by, the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(I) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules

**For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."**

16.47.1.8(L)(1)(h) NMAC:

Which states that "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."

15.2.1.9(b):

Which states 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 New Mexico State Fair Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-33  
Track New Mexico State Fair  
Ruling Date: 9/21/2016

Licensee: TORRES, JUAN D

License Type: Trainer Applicant Id: 29080  
Date of Birth: 06/24/1976 License Number: 81869

Ruling # 2016-NMS-33

Action Type: Initial Ruling

Ruling:

Trainer Juan D. Torres having appeared telephonically before the Board of Stewards on September 21, 2016 for failure to have registration certificates on file necessitating late scratches for the horses "Miss Bbmac" that was entered to run in the 4TH race, and "A Horse Called Buddy" in the 2ND race on September 18, 2016 at The NewMexico State Fair .

Juan Torres is found to be in violation of:

15.2.5.9(B)(2) NMAC: Which states in pertinent part that " The scratch of a horse after closing shall be made by the Owner, Trainer or their licensed designee, with permission from the stewards".

15.2.5.9 (B) (4) NMAC: Which states in pertinent part that "No horse may be scratched from an overnight race without approval of the Stewards.

This ruling is in accordance with:

15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS

B. Stewards.

(1) General authority. The stewards for each meeting shall be responsible to the commission for the conduct of the race meeting in accordance with the laws of this state and these rules.

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

For this rule violation, the Board of Stewards assessed a penalty in the amount of Two hundred Fifty dollars (\$250.00). The fine is to be paid on or before October 18, 2016 in accordance with

NMAC 15.2.3.8 B.Stewards. (3) Disciplinary action.

(l) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

Failure to pay the fine within the time prescribed may result in immediate suspension.

16.47.1.10(C)(7) NMAC:

Which states in pertinent part that "A Trainer is responsible for registering with the racing secretary each horse in his/her charge within 24 hours of the horse's arrival on association grounds."

15.2.5.12(B) NMAC:

Which states in pertinent part "A horse shall be ineligible to start in a race when its breed registration certificate is not on file with the racing secretary."

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 New Mexico State Fair Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-34  
Track New Mexico State Fair  
Ruling Date: 9/23/2016

Licensee: CARNERO, IVAN

License Type: 2014 3 Year Jockey      Applicant Id: 86520  
Date of Birth: 04/17/1992      License Number: 153185

Ruling # 2016-NMS-34

Action Type: Initial Ruling

Ruling:

Jockey **Ivan Carnero** DOB **04/17/1992** having failed to pay the fines assessed in Rulings#**2016-RUI-168**: at Ruidoso Downs racetrack is found to be in violation of Commission rules.  
**Mr. Carnero** failed to pay his fine by the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(I) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules

**For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."**

16.47.1.8(L)(1)(h) NMAC:

Which states that "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."

15.2.1.9(b):

Which states 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 New Mexico State Fair Stewards

Steward

Steward

Steward



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-35  
Track New Mexico State Fair  
Ruling Date: 9/23/2016

Licensee: ASCENCIO, JR ARNULFO  
License Type: 2015 3 Year Owner Applicant Id: 23046  
Date of Birth: 04/28/1981 License Number: 278585

Ruling # 2016-NMS-35

Action Type: Initial Ruling

Ruling:

Owner/Trainer **Arnulfo Ascencio Jr. DOB 04/28/1981** having failed to pay the fines assessed in Rulings# **2016-RUI-172, 2016-RUI-173**: at Ruidoso Downs racetrack is found to be in violation of Commission rules. Mr. Ascencio failed to pay his fine by the time prescribed in accordance with

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action**

(I) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules

**For this rule violation, all licenses issued to him are suspended, and he will be ineligible to apply for a New Mexico Racing Commission license until the fine has been paid in full."**

16.47.1.8(L)(1)(h) NMAC:

Which states that "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."

15.2.1.9(b):

Which states 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 New Mexico State Fair Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-36  
Track New Mexico State Fair  
Ruling Date: 9/23/2016

Licensee: RAMOS, ADRIAN ALFREDO  
License Type: Jockey Applicant Id: 20427  
Date of Birth: 11/03/1991 License Number: 80741

Ruling # 2016-NMS-36

Action Type: Initial Ruling

Ruling:

Jockey **Adrian A. Ramos** DOB **11/03/1991** having Porfirio Cano represent him before the **Board of Stewards** on this date September 23, 2016 for careless riding, while aboard **#7 Timeto Runaway** in race4 , at **The New Mexico State Fair**, is found to be in violation of Commission rules. **Mr. Ramos** failed to maintain a straight course causing interference to the horse Famous Crawdaddy . Even though the interference did not warrant a disqualification due to the fact that in the opinion of the **Board of Stewards** the interference would not have changed the order of finish.

For this infraction The Board of Stewards have assessed a penalty of Two Hundred Fifty dollars (\$250.00)

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards**

**(3) Disciplinary action.**

**(I)** All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

Licensee is found to be in violation of:

15.2.5.13(E)(3)(d) NMAC:

Which states in pertinent part that "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."

15.2.5.13(E)(3)(c) NMAC:

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)(2)(a) NMAC:

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."

15.2.1.9(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 New Mexico State Fair Stewards

2016-NMSF-37

NOT

ISSUED



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-38  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: FRANCO, ALBERT SERRANO  
License Type: 2016 3 Year Owner Applicant Id: 32103  
Date of Birth: 07/12/1977 License Number: 282643

Ruling # 2016-NMS-38

Action Type: Initial Ruling

Ruling:

Trainer **Albert Franco** DOB **07/12/1977** having appeared before the Board of Stewards telephonically on this date September 24, 2016 for declaring Flipping Halter on at time of entry on the horse Sandys Jesse, and then failing to run with the designated equipment entered in the 9th race on September 23, 2016, at The New Mexico State Fair.

**Mr. Franco** is found to be in violation of Commission rules.

**15.2.5.8 NMAC**

**ENTRIES AND NOMINATIONS B. PROCEDURE:** (10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

**16.47.1.8 GENERAL PROVISIONS**

**T. KNOWLEDGE OF RULES:** A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.:

For this rule violation, the Board of Stewards assessed a penalty in the amount of One Hundred dollars (\$100.00). The fine is to paid on or before October 24, 2016 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.

Licensee is found to be in violation of:

16.47.1.8(I)(1)(h) NMAC:

Which states that "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."

15.2.1.9(b):

Which states 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 New Mexico State Fair Stewards





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-39  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: ALDAVAZ,SR JAIME G.

License Type: 2016 3 Year Trainer Applicant Id: 19631

Date of Birth: 05/01/1971 License Number: 281163

Ruling # 2016-NMS-39

Action Type: Initial Ruling

Ruling:

Licensee Jaime Aldavaz Sr. was called when the Stewards were unable to contact Jamie Aldavaz Sr. telephonically on August 17, 2016 for failure to declare equipment "Flipping halter On" at time of entry on the horse "Mega Source" entered in the 10TH race on August 14, 2016 at The Downs at Albuquerque.. Licensee is found to be in violation of Commission rules.

For this rule violation, the Board of Stewards assessed a penalty in the amount of Fifty dollars (\$50.00). The fine is to paid on or before October 17, 2016 in accordance with

NMAC 15.2.3.8

B. Stewards.

(3) Disciplinary action.

(l) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered.

Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.8 (B)(9) NMAC: Which states in pertinent part that " Any approved change of equipment must be declared at time of entry."Any changes after that time must be approved by the Stewards.

By Order of The New Mexico State Fair Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-40  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: ALDAVAZ, JR JAIME

License Type: 2014 3 Year Trainer      Applicant Id: 14158  
Date of Birth: 11/19/1991      License Number: 164046

Ruling # 2016-NMS-40

Action Type: Initial Ruling

Ruling:

**Licensee Jaime Aldavaz Jr. was suspended due to an incorrect ruling 2016 DAA #95 and is hereby reinstated, and restored, as of September 24, 2016.**

16.47.1.8(L)(1)(h) NMAC:

Which states that "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."

15.2.1.9(b):

Which states 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 New Mexico State Fair Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-41  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: STEPHENS, RONALD L

License Type: 2014 3 Year Trainer Applicant Id: 21093

Date of Birth: 10/09/1943 License Number: 206312

Ruling # 2016-NMS-41

Action Type: Initial Ruling

Ruling:

Trainer, **Ronald Stephens**, having been duly notified, and appearing with his attorney **A. Blair Dunn** before the Board of Stewards on September 23, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NC32609, after it was collected from the horse "**Hearts Princess**" during an Out of Competition test, June 29, 2016 at the Downs at Albuquerque.

(The original lab report indicated a finding of Clenbuterol in blood at 89pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and denied by **Ronald Stephens**.)

**Ronald Stephens** is found to be in violation of:

15.2.1.7 (O) (9) NMAC: Out of competition testing" test(s) that may be conducted on any horse that is on the grounds of a racetrack or training center under the jurisdiction of the commission; or under the care or control of a trainer or owner licensed by the commission; or whose papers are filed in the racing office; or has been nominated to a stakes race.

15.2.6.9 (K)(3) NMAC: The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC.

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: 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."

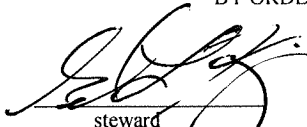
For this violation, the Board of Stewards assess **Ronald Stephens** a penalty as follows:

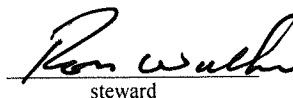
- (1) A suspension of any/all NMSRC issued licenses for a period of 90 calendar days (February 7, 2017 through May 8, 2017 Inclusive); **These dates are associated with other ruling and may become effective immediately or changed, if those rulings are amended or appealed.** 15.2.6.9 (B)(4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. **Penalties will run consecutively for a trainer or owner.**
- (2) A fine in the amount of one thousand dollars (\$1000.00.);
- (3) The horse **Hearts Princess** is placed on the stewards list for 60 days (9/24/16 to 11/23/16) and must pass a state approved drug test before entry.

During said time of applicable suspension, **Ronald Stephens** 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) NMAC, and 15.2.3.8 (B)(3)(f) NMAC.

Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of **Ronald Stephens** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

BY ORDER OF THE NEW MEXICO STATE FAIR BOARD OF STEWARDS

  
steward

  
steward

  
steward

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 #: 2016-NMS-42  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: STEPHENS, RONALD L  
License Type: 2014 3 Year Trainer Applicant Id: 21093  
Date of Birth: 10/09/1943 License Number: 206312

Ruling # 2016-NMS-42

Action Type: Initial Ruling

Ruling:

Trainer, **Ronald Stephens**, having been duly notified, and appearing with his attorney **A. Blair Dunn** before the Board of Stewards on September 23, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NC32610, after it was collected from the horse "**Buldem Fast**" during an Out of Competition test June 29, 2016 at the Downs at Albuquerque.

(The original lab report indicated a finding of Clenbuterol in blood at 506pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and denied by **Ronald Stephens**.)

**Ronald Stephens** is found to be in violation of:

15.2.1.7 (O) (9) NMAC: Out of competition testing" test(s) that may be conducted on any horse that is on the grounds of a racetrack or training center under the jurisdiction of the commission; or under the care or control of a trainer or owner licensed by the commission; or whose papers are filed in the racing office; or has been nominated to a stakes race.

15.2.6.9 (K)(3) NMAC: The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC.

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: 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."

For this violation, the Board of Stewards assess **Ronald Stephens** a penalty as follows:

(1) A suspension of any/all NMSRC issued licenses for a period of 120 calendar days May 9, 2017 through Sep. 6, 2017 Inclusive); **These dates are associated with other ruling and may become effective immediately or changed, if those rulings are amended or appealed.** 15.2.6.9 (B)(4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. **Penalties will run consecutively for a trainer or owner.**

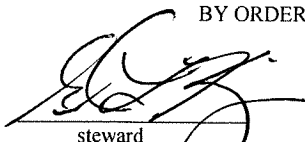
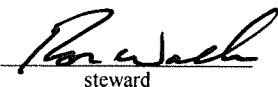

(2) A fine in the amount of one thousand five hundred dollars (\$1500.00.);

(3) The horse **Buldem Fast** is placed on the stewards list for 60 days (9/24/16 to 11/23/16) and must pass a state approved drug test before entry.

During said time of applicable suspension, **Ronald Stephens** 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) NMAC, and 15.2.3.8 (B)(3)(f) NMAC.

Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of **Ronald Stephens** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(e) NMAC.

BY ORDER OF THE NEW MEXICO STATE FAIR BOARD OF STEWARDS

  
steward  
steward  
steward

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 #: 2016-NMS-43  
Track: New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: PICKARD, DVM TONY LYNN  
License Type: 2016 3 Year Official V Applicant Id: 5200  
Date of Birth: 06/15/1957 License Number: 282857

Ruling # 2016-NMS-43

Action Type: Initial Ruling

Ruling:

Tony L. Pickard DVM, having been duly notified for a hearing and waiving his rights to a hearing appeared before the Board of Stewards on this date, September 24, 2016 regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for the confirmed administration of the Class IV drug "Phenylbutazone"(Bute) which was found in sample NM 20089, to be above the allowable limits of 2.0 mg/ml.

The administration of this drug was accidentally given under the supervision of Tony L. Pickard and he assumes full responsibility.  
Tony L. Pickard DVM is found to be in violation of:

15.2.6.9(D)(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".  
15.2.6.8 (E) NMAC: VETERINARY COMPLIANCE: The official veterinarian, racing veterinarian, and each practicing veterinarian shall comply with all federal and state statutes and applicable rules regulating veterinary practices as may be promulgated by the New Mexico board of veterinary medicine and the New Mexico board of pharmacy.

For this violation, the Board of Stewards assessed Tony L. Pickard DVM a penalty as follows;  
1. A fine in the amount of One Thousand Dollars (\$1000.00);  
2. Educate and discipline employees as required.

15.2.3.8 (B)(3) I NMAC: All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered. To be paid by 10/24/2016.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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."

15.2.1.9(b):

Which states 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 New Mexico State Fair Stewards

Steward

Steward

Steward



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-44  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: STEPHENS, RONALD L  
License Type: 2014 3 Year Trainer Applicant Id: 21093  
Date of Birth: 10/09/1943 License Number: 206312

Ruling # 2016-NMS-44

Action Type: Initial Ruling

Ruling:

Trainer, **Ronald Stephens**, having been duly notified, and appearing with his attorney **A. Blair Dunn** before the Board of Stewards on September 23, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NC32611, after it was collected from the horse "**A Super Sonic Boom**" during an Out of Competition test June 29, 2016 at the Downs at Albuquerque.

(The original lab report indicated a finding of Clenbuterol in blood at 425 pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and denied by **Ronald Stephens**.)

**Ronald Stephens** is found to be in violation of:

15.2.1.7 (O) (9) NMAC: Out of competition testing" test(s) that may be conducted on any horse that is on the grounds of a racetrack or training center under the jurisdiction of the commission; or under the care or control of a trainer or owner licensed by the commission; or whose papers are filed in the racing office; or has been nominated to a stakes race.

15.2.6.9 (K)(3) NMAC: The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC.

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: 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."

For this violation, the Board of Stewards assess **Ronald Stephens** a penalty as follows:

- (1) A suspension of any/all NMSRC issued licenses for a period of 120 calendar days Sep. 7, 2017 through Jan. 5, 2018 Inclusive); **These dates are associated with other ruling and may become effective immediately or changed, if those rulings are amended or appealed.**
- 15.2.6.9 (B)(4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. **Penalties will run consecutively for a trainer or owner.**
- (2) A fine in the amount of one thousand five hundred dollars (\$1500.00.);
- (3) The horse **A Super Sonic Boom** is placed on the stewards list for 60 days (9/24/16 to 11/23/16) and must pass a state approved drug test before entry.

During said time of applicable suspension, **Ronald Stephens** 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) NMAC, and 15.2.3.8 (B)(3)(f) NMAC.

Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of **Ronald Stephens** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

BY ORDER OF THE NEW MEXICO STATE FAIR BOARD OF STEWARDS

  
steward  
steward  
steward

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 #: 2016-NMS-45  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: APODACA, DANIEL

License Type: Applicant Id: 35633

Date of Birth: 06/13/1992 License Number:

Ruling # 2016-NMS-45

Action Type: Initial Ruling

Ruling:

Owner, **Daniel Apodoca**, having been duly notified, and appeared through his attorney **A. Blair Dunn** before the Board of Stewards on September 23, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NC32609, after it was collected from the horse "**Hearts Princess**" during an Out of Competition test, June 29, 2016 at the Downs at Albuquerque.

(The original lab report indicated a finding of Clenbuterol in blood at 89pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and denied by his trainer **Ronald Stephens**.

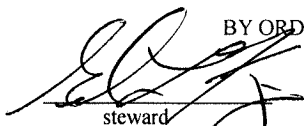
**Daniel Apodoca** is found to be in violation of:

15.2.1.7 (O) (9) NMAC: Out of competition testing" test(s) that may be conducted on any horse that is on the grounds of a racetrack or training center under the jurisdiction of the commission; or under the care or control of a trainer or owner licensed by the commission; or whose papers are filed in the racing office; or has been nominated to a stakes race.

15.2.6.9 (K)(3) NMAC: The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC.

For this violation, the Board of Stewards assess **Daniel Apodoca** a penalty as follows:

(1) The horse **Hearts Princess** is placed on the stewards list for 60 days (9/24/16 to 11/23/16) and must pass a state approved drug test before entry.

  
steward

BY ORDER OF New Mexico State Fair Board of Stewards

  
steward  
steward

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 New Mexico State Fair Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-46  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: ESTRADA, EDILBERTO  
License Type: 2013 3 year Owner      Applicant Id: 33236  
Date of Birth: 03/23/1974      License Number: 69669

Ruling # 2016-NMS-46

Action Type: Initial Ruling

Ruling:

Owner, **Edilberto Estrada**, having been duly notified, and appeared through his attorney **A. Blair Dunn** before the Board of Stewards on September 23, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NC32610, after it was collected from the horse "**Buildem Fast**" during an Out of Competition test, June 29, 2016 at the Downs at Albuquerque.

(The original lab report indicated a finding of Clenbuterol in blood at 506pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and denied by his trainer **Ronald Stephens**.

**Edilberto Estrada** is found to be in violation of:

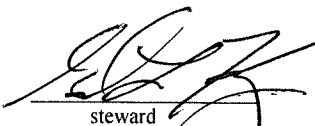
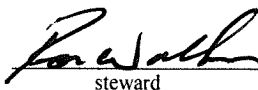
15.2.1.7 (O) (9) NMAC: Out of competition testing" test(s) that may be conducted on any horse that is on the grounds of a racetrack or training center under the jurisdiction of the commission; or under the care or control of a trainer or owner licensed by the commission; or whose papers are filed in the racing office; or has been nominated to a stakes race.

15.2.6.9 (K)(3) NMAC: The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC.

For this violation, the Board of Stewards assess **Edilberto Estrada** a penalty as follows:

(1) The horse **Buildem Fast** is placed on the stewards list for 60 days (9/24/16 to 11/23/16) and must pass a state approved drug test before entry.

BY ORDER OF New Mexico State Fair Board of Stewards

  
steward  
steward  
steward

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 #: 2016-NMS-47  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: STEPHENS, RONALD L  
License Type: 2014 3 Year Trainer Applicant Id: 21093  
Date of Birth: 10/09/1943 License Number: 206312

Ruling # 2016-NMS-47

Action Type: Initial Ruling

Ruling:

Trainer, **Ronald Stephens**, having been duly notified, and appearing with his attorney **A. Blair Dunn** before the Board of Stewards on September 23, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NC32612, after it was collected from the horse "**Rocky ELRoble**" during an Out of Competition test June 29, 2016 at the Downs at Albuquerque.

(The original lab report indicated a finding of Clenbuterol in blood at 461pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and denied by **Ronald Stephens**.)

**Ronald Stephens** is found to be in violation of:

15.2.1.7 (O) (9) NMAC: Out of competition testing" test(s) that may be conducted on any horse that is on the grounds of a racetrack or training center under the jurisdiction of the commission; or under the care or control of a trainer or owner licensed by the commission; or whose papers are filed in the racing office; or has been nominated to a stakes race.

15.2.6.9 (K)(3) NMAC: The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC.

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: 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."

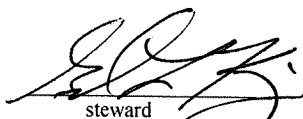
For this violation, the Board of Stewards assess **Ronald Stephens** a penalty as follows:

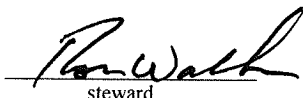
- (1) A suspension of any/all NMSRC issued licenses for a period of 120 calendar days( Jan 6, 2018 through May 6, 2018 Inclusive); **These dates are associated with other ruling and may become effective immediately or changed, if those rulings are amended or appealed.**
- 15.2.6.9 (B)(4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. **Penalties will run consecutively for a trainer or owner.**
- (2) A fine in the amount of one thousand five hundred dollars (\$1500.00.);
- (3) The horse **Rocky ELRoble** is placed on the stewards list for 60 days (9/24/16 to 11/23/16) and must pass a state approved drug test before entry.

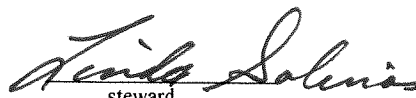
During said time of applicable suspension, **Ronald Stephens** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a) NMAC, and 15.2.3.8 (B)(3)(f) NMAC.

Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of **Ronald Stephens** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

BY ORDER OF THE NEW MEXICO STATE FAIR BOARD OF STEWARDS

  
steward

  
steward

  
steward

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 #: 2016-NMS-48  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: SOLIS, HUBALDO

License Type: 2015 3 Year Owner

Applicant Id: 11361

Date of Birth: 07/08/1960

License Number: 277840

Ruling # 2016-NMS-48

Action Type: Initial Ruling

Ruling:

Owner, **Hubaldo Solis**, having been duly notified, and appeared through his attorney **A. Blair Dunn** before the Board of Stewards on September 23, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NC32611, after it was collected from the horse "**A Super Sonic Boom**" during an Out of Competition test, June 29, 2016 at the Downs at Albuquerque.

(The original lab report indicated a finding of Clenbuterol in blood at 425pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and denied by his trainer **Ronald Stephens**.

**Hubaldo Solis** is found to be in violation of:

15.2.1.7 (O) (9) NMAC: Out of competition testing" test(s) that may be conducted on any horse that is on the grounds of a racetrack or training center under the jurisdiction of the commission; or under the care or control of a trainer or owner licensed by the commission; or whose papers are filed in the racing office; or has been nominated to a stakes race.

15.2.6.9 (K)(3) NMAC: The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC.

For this violation, the Board of Stewards assess **Hubaldo Solis** a penalty as follows:

(1) The horse **A Super Sonic Boom** is placed on the stewards list for 60 days (9/24/16 to 11/23/16) and must pass a state approved drug test before entry.

BY ORDER OF New Mexico State Fair Board of Stewards

  
steward  
steward  
steward

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



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-49  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: ASTORGA, HUGO FERNANDO  
License Type: 2015 3 Year Owner Applicant Id: 157238  
Date of Birth: 07/08/1977 License Number: 246896

Ruling # 2016-NMS-49

Action Type: Initial Ruling

Ruling:

Owner, **Hugo Astorga**, having been duly notified, and appeared through his attorney **A. Blair Dunn** before the Board of Stewards on September 23, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NC32612, after it was collected from the horse "**Rocky El Roble**" during an Out of Competition test, June 29, 2016 at the Downs at Albuquerque.

(The original lab report indicated a finding of Clenbuterol in blood at 461pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and denied by his trainer **Ronald Stephens**.

**Hugo Astorga** is found to be in violation of:

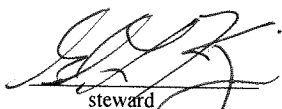
15.2.1.7 (O) (9) NMAC: Out of competition testing" test(s) that may be conducted on any horse that is on the grounds of a racetrack or training center under the jurisdiction of the commission; or under the care or control of a trainer or owner licensed by the commission; or whose papers are filed in the racing office; or has been nominated to a stakes race.

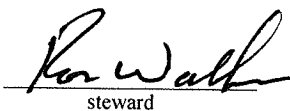
15.2.6.9 (K)(3) NMAC: The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC.

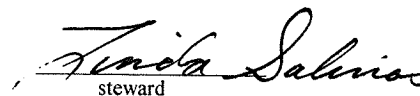
For this violation, the Board of Stewards assess **Hugo Astorga** a penalty as follows:

(1) The horse **Rocky El Roble** is placed on the stewards list for 60 days (9/24/16 to 11/23/16) and must pass a state approved drug test before entry.

BY ORDER OF New Mexico State Fair Board of Stewards

  
steward

  
steward

  
steward

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 #: 2016-NMS-50  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: ASTORGA, IVAN N  
License Type: 2015 3 Year Owner Applicant Id: 157239  
Date of Birth: 04/08/1973 License Number: 246897

Ruling # 2016-NMS-50

Action Type: Initial Ruling

Ruling:

Owner, **Ivan Astorga**, having been duly notified, and appeared through his attorney **A. Blair Dunn** before the Board of Stewards on September 23, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NC32612, after it was collected from the horse "**Rocky El Roble**" during an Out of Competition test, June 29, 2016 at the Downs at Albuquerque.

(The original lab report indicated a finding of Clenbuterol in blood at 461pg/ml. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and denied by his trainer **Ronald Stephens**.

**Ivan Astorga** is found to be in violation of:

15.2.1.7 (O) (9) NMAC: Out of competition testing" test(s) that may be conducted on any horse that is on the grounds of a racetrack or training center under the jurisdiction of the commission; or under the care or control of a trainer or owner licensed by the commission; or whose papers are filed in the racing office; or has been nominated to a stakes race.

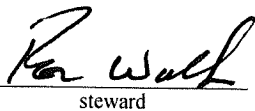
15.2.6.9 (K)(3) NMAC: The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC.

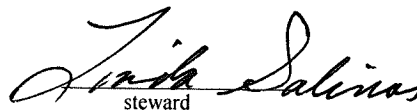
For this violation, the Board of Stewards assess **Ivan Astorga** a penalty as follows:

(1) The horse **Rocky El Roble** is placed on the stewards list for 60 days (9/24/16 to 11/23/16) and must pass a state approved drug test before entry.

BY ORDER OF New Mexico State Fair Board of Stewards

  
steward

  
steward

  
steward

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 #: 2016-NMS-51  
Track New Mexico State Fair  
Ruling Date: 9/24/2016

Licensee: CARNERO, IVAN

License Type: 2014 3 Year Jockey

Date of Birth: 04/17/1992

Applicant Id: 86520

License Number: 153185

Ruling # 2016-NMS-51

Action Type: Initial Ruling

Ruling:

Written in error. Ivan Carnero is reinstated paid his fine \$200.00 and is in good standings

16.47.1.8(L)(1)(h) NMAC:

Which states that "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."

15.2.1.9(b):

Which states 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 New Mexico State Fair Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-52  
Track New Mexico State Fair  
Ruling Date: 9/25/2016

Licensee: MEDRANO, ALBERT T.

License Type: 2016 3 Year Jockey Applicant Id: 20151

Date of Birth: 10/09/1990 License Number: 280564

Ruling # 2016-NMS-52

Action Type: Initial Ruling

Ruling:

Jockey Albert T. Medrano DOB 10/09/1990 having appeared before the **Board of Stewards** on September 25, 2016 for careless riding, while aboard #6 California Girl in race, 10, at **The New Mexico State Fair**, is found to be in violation of Commission rules.

Mr. Medrano failed to maintain a straight course causing interference to the horse Rs Corona First in race 10 on September 24, 2016.

For this infraction The Board of Stewards have assessed a penalty of a suspension of Seven (7) calendar days. The suspension is from October 2, 2016 through October 8, 2016 being eligible to ride on October 9, 2016

15.2.5.13(E)(3)(d) NMAC:

Which states in pertinent part that "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."

15.2.5.13(E)(3)(c) NMAC:

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)(2)(a) NMAC:

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."

15.2.1.9(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 New Mexico State Fair Stewards

Steward

Steward

Steward



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-NMS-53  
Track New Mexico State Fair  
Ruling Date: 9/25/2016

Licensee: PEREZ, SERGIO

License Type: 2016 3 Year Owner      Applicant Id: 159099  
Date of Birth: 11/18/1991      License Number: 283082

Ruling # 2016-NMS-53

Action Type: Initial Ruling

Ruling:

Owner Sergio Perez having appeared before the Board of Stewards on Date: September 25, 2016 for working in a capacity for which he is not licensed. Mr. Perez was in the paddock working as a groom for Ross Amestoy and after repeated warnings that he was not licensed in a capacity which would allow him to work with other owners horses and he neglected those warnings.

Licensee was found to be in violation of Commission rules. Thus, for this rule violation, the Board of Stewards assessed licensee a penalty in the amount of Two Hundred dollars (\$200.00). The fine is to be paid on or before October 25, 2016 in accordance with 15.2.3.8(B)(3)(I) NMAC.

**15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS:**

**B. Stewards.**

(1) **General authority.** The stewards for each meeting shall be responsible to the commission for the conduct of the race meeting in accordance with the laws of this state and these rules.

(a) The stewards shall enforce these rules and the racing laws of this state.

(b) The stewards' authority includes supervision of all racing officials, track management, licensed personnel, other persons responsible for the conduct of racing, and patrons, as necessary to insure compliance with the act and these rules.

(c) The stewards shall have authority to resolve conflicts or disputes related to racing and to discipline violators in accordance with the provisions of these rules.

(d) 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.

Failure to pay this fine within the time prescribed may result in immediate suspension.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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."

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By Order of The New Mexico State Fair Stewards