



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-13
Track New Mexico State Fair
Ruling Date: 9/12/2017

Licensee: DANLEY, FRED IKE

License Type: 2016 3 Year Trainer Applicant Id: 24866
License Number: 280582

Ruling # 2017-NMS-13
Action Type: Initial Ruling
Ruling:

Trainer: Fred Danley having been duly notified, and appeared telephonically before the Board of Stewards on **September 12, 2017**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**Wild Mares Milk**" entered in the 5th race on September 10, 2017 at The New Mexico State Fair Race Track.

Licensee is found to be in violation of:

15.2.5.8 (B)(10) Procedure For Entries Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

For this rule violation, the Board of Stewards assessed **Fred Danley** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **October 11, 2017**, in accordance with 15.2.3.8(B)(3)(l) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

  
By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-14
Track: New Mexico State Fair
Ruling Date: 9/12/2017

Licensee: ROMAN, JR JAVIER

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

Ruling # 2017-NMS-14

Action Type: Initial Ruling

Ruling:

Trainer Javier Roman Jr. having been duly notified twice Telephonically in accordance with 15.2.1.9(B)(4)(d), by the Board of Stewards on **September 12, 2017** for failure to declare equipment (**Blinkers On**) at time of entry for "**Papa's Trick**" entered in the 7th race on September 10, 2017 at The New Mexico State Fair Race Track..

Narative: Blinkers were Taken off at the gate.

Licensee is found to be in violation of:

15.2.5.8 (B)(10) Procedure For Entries Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

15.2.5.13 (A)(6) Equipment For The Running Of The Race: No licensee may add blinkers to a horse's equipment or discontinue their use without the prior approval of the starter, the paddock judge, and the stewards.

For this rule violation, the Board of Stewards assessed **Javier Roman Jr.** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to be paid on or before **October 11, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-15
Track New Mexico State Fair
Ruling Date: 9/12/2017

Licensee: MARQUEZ, JOSE LUIS

License Type: 2015 3 Year Trainer Applicant Id: 23709
License Number: 277384

Ruling # 2017-NMS-15

Action Type: Initial Ruling

Ruling:

Trainer Jose Luis Marquez, having been duly notified appeared before the Board of Stewards on **September 12, 2017**, regarding a security citation for allowing an unlicensed person to reside in his tack room. **Jose Luis Marquez** had Eric Rivera a person that was previously expelled from the grounds and escorted off by police was found in the tack room.

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 (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.

The Board of Stewards assessed **Jose Marquez** a penalty in the amount of **two hundred dollars (\$200)**. The fine is to be paid on or before **October 11, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay this fine within the time prescribed may result in immediate suspension.

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.

Patrick Boreng *Don Walker* *Linda Salinas*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-16
Track New Mexico State Fair
Ruling Date: 9/12/2017

Licensee: ROBLEDO, SAMUEL

License Type: 2016 3 Year Trainer Applicant Id: 31708
License Number: 282445

Ruling # 2017-NMS-16

Action Type: Initial Ruling

Ruling:

Trainer Samuel Robledo having been duly notified and having responded by telephone before the Board of Stewards on September 12, 2017 for sending an unlicensed person to the test barn on September 10, 2017 at The New Mexico State Fair.

Licensee is found to be in violation of:

15.2.6.10 TESTING:

A. Reporting to the test barn:

(4) 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.

16.47.1.10 TRAINERS:


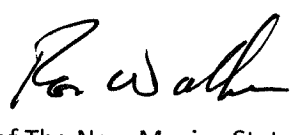

C. Other responsibility: A trainer is responsible for:

(25) attending the collection of urine or blood sample from the horse in their charge or delegating a licensed employee or the owner of the horse to do so;

The Board of Stewards assessed **Samuel Robledo** a penalty in the amount of **\$50.00 dollars**. The fine is to be paid on or before **October 11, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-17
Track New Mexico State Fair
Ruling Date: 9/13/2017

Licensee: ESPARZA, OSVALDO M.

License Type: 2017 3 Year Trainer Applicant Id: 19160
License Number: 286618

Ruling # 2017-NMS-17

Action Type: Initial Ruling

Ruling:

Trainer Osvaldo Esparza having been duly notified and having responded by telephone before the Board of Stewards on **September 13, 2017**, for sending a owner as a groom to the test barn with a horse "The Second Burst" he did not own , on September 12, 2017 at the New Mexico State Fair.

Licensee is found to be in violation of:

16.47.1.8 L (1)(C) 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: *who is unqualified, by experience or otherwise, to perform the activities* for which a license is required, or who fails to pass an examination prescribed by the commission.

The Board of Stewards assessed **Osvaldo Esparza** a penalty in the amount of **One Hundred dollars (\$100.00)**. The fine is to be paid on or before **October 11, 2017**, in accordance with 15.2.3.8(B)(3)(l) NMAC. Failure to pay this fine within the time prescribed may result in immediate suspension.

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair 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.

Linda Salinas *RosWalsh* *Patrick Bovenz*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-18
Track New Mexico State Fair
Ruling Date: 9/13/2017

Licensee: ITURRALDE, OSMAN

License Type: 2016 3 Year Trainer Applicant Id: 33054
License Number: 281501

Ruling # 2017-NMS-18
Action Type: Initial Ruling
Ruling:

Trainer Osman Iturralde, having been duly notified and having responded by telephone before the Board of Stewards on September 12, 2017 for having his horse "An There Off" taken from the starting gate to the test barn with a pony boy on September 12, 2017 at The New Mexico State Fair.

Narrative: The horse was taken from the Gate to the barn instead of the test barn due to fact the pony boy had the horse and did not know the horse was sent to the test barn.
The horse was then taken to the test barn.

Licensee is found to be in violation of:

15.2.6.10 TESTING:

A. Reporting to the test barn:

(4) 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.

16.47.1.10 TRAINERS:

C. Other responsibility: A trainer is responsible for:

(25) attending the collection of urine or blood sample from the horse in their charge or delegating a licensed employee or the owner of the horse to do so;

The Board of Stewards assessed **Osman Ituralde** a penalty in the amount of **Fifty dollars (\$50.00)**.

The fine is to be paid on or before **October 11, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

16.47.1.8. T. KNOWLEDGE OF RULES:

  
By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-19
Track New Mexico State Fair
Ruling Date: 9/13/2017

Licensee: PACHECO, AMBROSE PATRICK

License Type: 2017 1 Year Owner Applicant Id: 35476
License Number: 287330

Ruling # 2017-NMS-19

Action Type: Initial Ruling

Ruling:

Owner: Ambrose Pacheco, having been duly notified and failing to appear before the Board of Stewards on Sep.13, 2017, for the falsification of federal forms (health certificate) for the horse "Westa" on Aug 11, 2017, at The Downs at Albuquerque.

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

After hearing testimony and presenting evidence the Board of Stewards issued Ambrose Pacheco 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 Oct 13, 2017, in accordance with 15.2.3.8(B)(3)(i). Failure to pay the fine within the time prescribed may result in immediate suspension.
2. A **6 month suspension** of all NMRC licenses starting Sep 25, 2017, through March 24, 2018 inclusive.

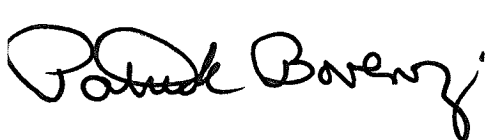
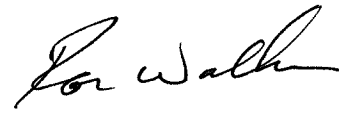

This penalty has aggravating Circumstances: Mr. Pacheco falsified the health certificate by: adding a horse that was not inspected by the veterinarian.

During said time of applicable suspension, Ambrose Pacheco 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 Ambrose Pacheco 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)(c)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 New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-19
Track New Mexico State Fair
Ruling Date: 9/13/2017

Licensee: PACHECO, AMBROSE PATRICK

License Type: 2017 1 Year Owner Applicant Id: 35476
License Number: 287330

Ruling # 2017-NMS-19

Action Type: Initial Ruling

Ruling:

Owner: Ambrose Pacheco, having been duly notified and failing to appear before the Board of Stewards on Sep.13, 2017, for the falsification of federal forms (health certificate) For the horse "Pure D Fire" on Aug 11, 2017, at The Downs at Albuquerque.

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

After hearing testimony and presenting evidence the Board of Stewards issued **Ambrose Pacheco** 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 **Oct 13, 2017**, in accordance with 15.2.3.8(B)(3)(i). Failure to pay the fine within the time prescribed may result in immediate suspension.
2. A **6 month suspension** of all NMRC licenses starting **Sep 25, 2017, through March 24, 2018 inclusive**.

This penalty has aggravating Circumstances: Mr. Pacheco falsified the health certificate by: adding a horse that was not inspected by the veterinarian.

During said time of applicable suspension, Ambrose Pacheco 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 Ambrose Pacheco 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 New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-20
Track New Mexico State Fair
Ruling Date: 9/13/2017

Licensee: KELLEY, MICHAEL LELAND

License Type: 2017 1 Year Jockey Ag Applicant Id: 22983
License Number: 286879

Ruling # 2017-NMS-20

Action Type: Initial Ruling

Ruling:

Jockey **David Michael Lopez** represented by his agent was telephonically notified by the Board of Stewards on **September 13, 2017**, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagement in the Second and Third race on September 12, 2017, at The New Mexico State Fair race track.

Narrative: Mr. Lopez left without notifying the Stewards he would not be at the track to ride on Tuesday September 12, 2017. He had accepted mounts at two tracks.

Licensee is found to be in violation of:

15.2.5.13(C)(1) Which states in pertinent part that "Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards."

15.2.5.13(C)(3) Which states in pertinent part that "Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards."

The Board of Stewards hereby assesses **David Lopez** a penalty in the amount of **Two hundred dollars (\$200.00)**. The fine is to be paid on or before **October 11, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-21
Track New Mexico State Fair
Ruling Date: 9/14/2017

Licensee: LOPEZ, DAVID MICHAEL

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

Ruling # 2017-NMS-21

Action Type: Initial Ruling

Ruling:

Jockey **David Michael Lopez** represented by his agent was telephonically notified by the Board of Stewards on **September 13, 2017**, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagement in the Second and Third race on September 12, 2017, at The New Mexico State Fair race track.

Narrative: Mr. Lopez left without notifying the Stewards he would not be at the track to ride on Tuesday September 12, 2017. He had accepted mounts at two tracks.

Licensee is found to be in violation of:

15.2.5.13(C)(1) Which states in pertinent part that "Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards."

15.2.5.13(C)(3) Which states in pertinent part that "Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards."

The Board of Stewards hereby assesses **David Lopez** a penalty in the amount of **Two hundred dollars (\$200.00)**. The fine is to be paid on or before **October 11, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-22
Track New Mexico State Fair
Ruling Date: 9/14/2017

Licensee: MIKKELSON, VANCE EARL
License Type: 2015 3 Year Trainer Applicant Id: 13188
License Number: 278873

Ruling # 2017-NMS-22
Action Type: Initial Ruling
Ruling:

Trainer **Vance Earl Mikkelsen** having been duly notified appeared and had his hearing in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **September 13, 2017**, for failure have his entry, "**Diabolical Mile**" in the paddock at the designated time for the 1st race on September 12, 2017, at The New Mexico State Fair Racetrack.

Licensee is found to be in violation of:

16.47.1.10 (C) (22) presenting his/her horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;

For this rule violation, the Board of Stewards assessed **Vance Earl Mikkelsen** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **October 11, 2017**, in accordance with **15.2.3.8(B)(3)(l)** NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-23
Track New Mexico State Fair
Ruling Date: 9/14/2017

Licensee: APODACA-DIAZ, LUIS

License Type: 2017 3 Year Jockey Applicant Id: 33930
License Number: 287118

Ruling # 2017-NMS-23

Action Type: Initial Ruling

Ruling:

Jockey **Luis A. Apodaca**, having been summoned and having appeared before the Board of Stewards on September 13, 2017, for failure to make sufficient effort to maintain his lane while aboard "**Thru the Night**" in the **8th race on, 2017**. September 12, 2017 at The New Mexico State Fair.

Licensee is found to be in violation of:

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

The Board of Stewards hereby assess, **Luis Apodaca**, a fine in the amount of **two hundred dollars, (\$200.00)**. The fine is to be paid on or before **October 13, 2017**, in accordance with **15.2.3.8 (B)(3) (I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

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

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-24
Track New Mexico State Fair
Ruling Date: 9/14/2017

Licensee: OLGUIN, EVER ROMERO

License Type: 2015 3 Year Trainer Applicant Id: 23283
License Number: 216398

Ruling # 2017-NMS-24

Action Type: Initial Ruling

Ruling:

Trainer Ever Olguin, having been duly notified and having responded by telephone before the Board of Stewards on September 14, 2017 for having his horse "Arch Dude" taken to the test barn with a owner (did not own the horse) on September 13, 2017 at The New Mexico State Fair.

Licensee is found to be in violation of:

15.2.6.10 TESTING:

A. Reporting to the test barn:

(4) 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.

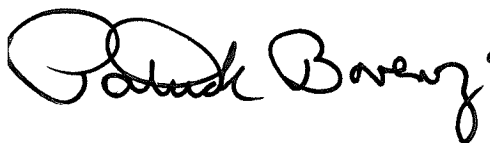
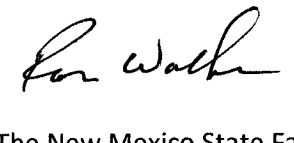

16.47.1.10 TRAINERS:

C. Other responsibility: A trainer is responsible for:

(25) attending the collection of urine or blood sample from the horse in their charge or delegating a licensed employee or the owner of the horse to do so;

The Board of Stewards assessed **Ever Olguin** a penalty in the amount of **\$100.00**). The fine is to be paid on or before **October 13, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay this fine within the time prescribed may result in immediate suspension.

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-25
Track New Mexico State Fair
Ruling Date: 9/15/2017

Licensee: APODACA-DIAZ, LUIS

License Type: 2017 3 Year Jockey Applicant Id: 33930
License Number: 287118

Ruling # 2017-NMS-25

Action Type: Initial Ruling

Ruling:

Jockey, **Luis A. Apodaca** having been duly notified and having appeared before the Board of Stewards on **September 15, 2017**, for failure to appear in the paddock at the designated time for the 4th race on September 14, 2017, at The New Mexico State Fair.

Licensee is found to be in violation of:

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.

The Board of Stewards hereby assesses **Luis A. Apodaca** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **October 13, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys
15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(a) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.

Patrick Boverz *For Walth* *Trinda Salvia*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-26
Track New Mexico State Fair
Ruling Date: 9/16/2017

Licensee: CADENA, JR EMILIO

License Type: 2017 3 Year Trainer Applicant Id: 16767
License Number: 287244

Ruling # 2017-NMS-26

Action Type: Initial Ruling

Ruling:

Trainer: Emilio Cadena Jr. having been duly notified, and appeared telephonically before the Board of Stewards on **September 15, 2017**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**My Dekalb Diva**" entered in the 2nd race on September 13, 2017 at The New Mexico State Fair Race Track.

Licensee is found to be in violation of:

15.2.5.8 (B)(10) Procedure For Entries Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

For this rule violation, the Board of Stewards assessed **Emilio Cadena Jr.** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **October 13, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-27
Track New Mexico State Fair
Ruling Date: 9/16/2017

Licensee: LOZANO, FLAVIO

License Type: 2017 3 Year Jockey Applicant Id: 33238
License Number: 286319

Ruling # 2017-NMS-27

Action Type: Initial Ruling

Ruling:

Jockey **Flavio Lozano**, having been summoned and having appeared before the Board of Stewards on **September 16, 2017**, for failure to make sufficient effort to maintain his lane while aboard "**James D Man**" in the **5th race on September 15, 2017** at the New Mexico State Fair.

Licensee is found to be in violation of:

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

The Board of Stewards hereby assess, **Flavio Lozano** a fine in the amount of **two hundred dollars, (\$200.00)**. The fine is to be paid on or before **June 14, 2017**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-28
Track New Mexico State Fair
Ruling Date: 9/16/2017

Licensee: BARBER, MICHAEL KIRK

License Type: 2016 3 Year Trainer Applicant Id: 10111
License Number: 280640

Ruling # 2017-NMS-28

Action Type: Initial Ruling

Ruling:

Trainer Michael K. Barber having been duly notified twice Telephonically in accordance with 15.2.1.9(B)(4)(d) , by the Board of Stewards on **September 16 , 2017** for failure to declare equipment (**Blinkers On**) at time of entry for "**She Knows Who**" entered in the 6th race on September 13, 2017 at The New Mexico State Fair Race Track..

Narative: Blinkers were Taken off at the gate.

Licensee is found to be in violation of:

15.2.5.8 (B)(10) Procedure For Entries Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

15.2.5.13 (A)(6) Equipment For The Running Of The Race: No licensee may add blinkers to a horse's equipment or discontinue their use without the prior approval of the starter, the paddock judge, and the stewards.

For this rule violation, the Board of Stewards assessed **Michael K. Barber** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **October 13, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-29
Track New Mexico State Fair
Ruling Date: 9/16/2017

Licensee: CARDENAS, ISAIAS GONZALEZ

License Type: 2015 3 Year Jockey Applicant Id: 30527
License Number: 277218

Ruling # 2017-NMS-29

Action Type: Initial Ruling

Ruling:

Jockey **Isaias Cardenas**, having been summoned and having appeared before the Board of Stewards on **September 16, 2017**, for failure to make sufficient effort to maintain his lane while aboard "Dash Back Jess" in the **5th race on September 15, 2017** at the New Mexico State Fair.

Licensee is found to be in violation of:

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

The Board of Stewards hereby assess, **Isaias Cardenas** a fine in the amount of **two hundred dollars, (\$200.00)**. The fine is to be paid on or before **October 14, 2017**, in accordance with **15.2.3.8 (B)(3) (I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

  
By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-30
Track New Mexico State Fair
Ruling Date: 9/17/2017

Licensee: KEMPER, KASEY RAY

License Type: 2017 3 Year Trainer Applicant Id: 15448
License Number: 285500

Ruling # 2017-NMS-30

Action Type: Initial Ruling

Ruling:

Trainer Kasey Kemper having been duly notified and appeared, and had his hearing held in The office of the board of Stewards at the New Mexico State Fair on **September 16, 2017** concerning allegations of using abusive language towards a jockey in front of the grand stand on September 15, 2017.

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.

For this rule violation, the Board of Stewards assessed **Kasey Kemper** a penalty of a fine in the amount of \$100 One hundred dollars. This fine is to be paid on or before **October 14, 2017** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-31
Track New Mexico State Fair
Ruling Date: 9/17/2017

Licensee: SMITH, JEFFREY LOREN

License Type: Applicant Id: 22085
License Number:

Ruling # 2017-NMS-31

Action Type: Initial Ruling

Ruling:

Jockey Jeff Smith, having been summoned and having appeared before Board of Stewards on ,
September 17, 2017, for careless riding during the running of the 10th race on September 16, 2017 ,
while aboard #8 "Paymefirst" (at the 3/16 pole, the #3 bore in when the rider whipped it bumping
into the #2 and pushing it out of its position)

Licensee is found in violation of:

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

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

This ruling is written in accordance with:

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

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

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

For this violation during the 2017 The New Mexico Staate Fair Meet meet, the board of stewards assessed Jeff Smith a fine of \$200.00.

The fine is to be paid on or before **October 15, 2017**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-32
Track New Mexico State Fair
Ruling Date: 9/17/2017

Licensee: COX, SHAE LARA

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

Ruling # 2017-NMS-32

Action Type: Initial Ruling

Ruling:

Trainer Shae L. Cox was notified telephonically by the Board of Stewards on September 17, 2017, for failing to have registration papers on file for entry "Regal First Moon," which resulted in a late scratch and mutuel refund in the 4th race on September 16, 2017, at The New Mexico State Fair Racetrack.

Licensee is found to be in violation of.

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".


For this violation, the Board of Stewards assessed Shae Cox a fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before October 14, 2017, in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

This ruling is written in accordance with

15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-33
Track New Mexico State Fair
Ruling Date: 9/20/2017

Licensee: CANO, PORFIRIO VEGA

License Type: 2017 3 Year Jockey Applicant Id: 28814
License Number: 286120

Ruling # 2017-NMS-33

Action Type: Initial Ruling

Ruling:

Jockey **Porfirio Cano**, having been summoned and having appeared before the Board of Stewards on **September 20, 2017**, for failure to make sufficient effort to maintain his lane while aboard "**Cache This Cheque**" in the **5th race on September 17, 2017** at the New Mexico State Fair. (#7 drifted across in front of the inside horses making it tight for there forward progress)

Licensee is found to be in violation of:

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

The Board of Stewards hereby assess, **Porfirio Cano** a fine in the amount of **two hundred dollars, (\$200.00)**. The fine is to be paid on or before **October 19, 2017**, in accordance with **15.2.3.8 (B)(3) (I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-34
Track New Mexico State Fair
Ruling Date: 9/20/2017

Licensee: MONTOYA, ANTHONY F

License Type: 2017 3 Year Trainer Applicant Id: 28421
License Number: 285480

Ruling # 2017-NMS-34

Action Type: Initial Ruling

Ruling:

Trainer **Anthony Montoya** having been duly notified appeared telephonically in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **September 20, 2017**, for failure have his entry, " **Jess a Dash to Fame**" in the paddock at the designated time for the 1st race on September 16, 2017, at The New Mexico State Fair Racetrack.

Licensee is found to be in violation of:

16.47.1.10 (C) (22) presenting his/her horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;

For this rule violation, the Board of Stewards assessed Anthony Montoya a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **October 19, 2017**, in accordance with **15.2.3.8(B)(3)(I)** NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: **15.2.1.9(B) (9) (b)** NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-35
Track New Mexico State Fair
Ruling Date: 9/20/2017

Licensee: GREEN, GREG ALLEN

License Type: 2014 3 Year Trainer Applicant Id: 15219
License Number: 174442

Ruling # 2017-NMS-35

Action Type: Initial Ruling

Ruling:

Trainer Greg Green having been duly notified Telephonically in accordance with 15.2.1.9(B)(4)(d) , by the Board of Stewards on **September 16 , 2017** for failure to declare equipment (**Blinkers On**) at time of entry for "**Unbelievabull**" entered in the 5th race on September 16, 2017 at The New Mexico State Fair Race Track..

Narative: Blinkers were Taken off at the gate.

Licensee is found to be in violation of:

15.2.5.8 (B)(10) Procedure For Entries Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

15.2.5.13 (A)(6) Equipment For The Running Of The Race: No licensee may add blinkers to a horse's equipment or discontinue their use without the prior approval of the starter, the paddock judge, and the stewards.

For this rule violation, the Board of Stewards assessed **Greg Green** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **October 19, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-36
Track New Mexico State Fair
Ruling Date: 9/20/2017

Licensee: EVANS, JUSTIN ROBERT

License Type: 2015 3 Year Trainer Applicant Id: 30562
License Number: 246959

Ruling # 2017-NMS-36

Action Type: Initial Ruling

Ruling:

Trainer Justin Evans was notified telephonically by the Board of Stewards on September 20 2017, for failing to have registration papers on file for entry "Denali South Peak," which resulted in a late scratch and mutuel refund in the 8th race on September 13, 2017, at The New Mexico State Fair Racetrack.

Licensee is found to be in violation of.

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".

For this violation, the Board of Stewards assessed Justin Evans a fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before October 19, 2017, in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

This ruling is written in accordance with

15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-37
Track New Mexico State Fair
Ruling Date: 9/20/2017

Licensee: CARRETE, JESUS J.

License Type: Applicant Id: 3671
License Number: 277319

Ruling # 2017-NMS-37

Action Type: Initial Ruling

Ruling:

Licensee Jesus Carrete having waived his right to a ten day notice and formal hearing on **September 20, 2017** concerning a security citation for failure to have a water bucket in the test barn on September 17, 2017 is found in violation of Commission rules.

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 (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.

For this rule violation, the Board of Stewards assessed **Jesus Carrete** a penalty in the amount of **\$25.00 dollars (\$25.00)**. This fine is to be paid on or before **October 19, 2017** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

By Order of The New Mexico State Fair 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.

Linda Salinas *R. Wach* *Patrick Boney*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-38
Track New Mexico State Fair
Ruling Date: 9/22/2017

Licensee: FISCAL-GALLEGOS, SERGIO
License Type: 2016 3 Year Trainer Applicant Id: 159309
License Number: 283801

Ruling # 2017-NMS-38

Action Type: Initial Ruling

Ruling:

Trainer Sergio Fiscal-Gallegos having been duly notified, and appeared telephonically before the Board of Stewards Sep. 20, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected at 194 pg/ml in the horse "A Spring Snow" (Test Sample #: NM27280), who finished in 1st place in the 6th race on July 2, 2017, at The Downs in Albuquerque. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Sergio Fiscal-Gallegos.

Licensee is found in violation of:

15.2.6.9(C)(1-2-3) NMAC: Which states that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race (b) therapeutic medications in excess of established acceptable levels".

15.2.6.9(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

For Sergio Fiscal-Gallegos 1st Class 3B medication violation issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards assessed a penalty as follows.

1. A 30 day suspension of all NMRC licenses starting Oct. 1, 2017, through Oct 30., 2017, inclusive.

2. A (\$750.00) Seven hundred Fifty dollar fine to paid on or before Oct. 30, 2017, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.

During said time of applicable suspension, Sergio Fiscal-Gallegos is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21). Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Sergio Fiscal-Gallegos are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(e).

This ruling is written in accordance with:

15.2.3.8 B (1)(3)(f)(g)(j)

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

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

16.47.1.8 (T) KNOWLEDGE OF RULES

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.

Patrick B. Boring *For Walter* *Linda Salinas*

RULING
2017-NMSF-39
ISSUED
IN
ERROR

RULING
2017-NMSF-40
ISSUED
IN
ERROR



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-41
Track New Mexico State Fair
Ruling Date: 9/22/2017

Licensee: ELSTON, BRENT E.

License Type: 2016 3 Year Trainer Applicant Id: 34096
License Number: 281966

Ruling # 2017-NMS-41

Action Type: Initial Ruling

Ruling:

Trainer **Brent Elston** having been duly notified, (a person helping him appeared,) and had a hearing before the Board of Stewards on **September 22, 2017**, for failure to appear in the paddock with entry Hunterwood Point, which resulted in a late scratch and mutual refund in the eighth race on September 20, 2017 at The New Mexico State Fair..

Licensee is found in violation of .

16.47.1.10 (C) (22) TRAINER RESPONSIBILITY presenting his/her horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;

For this rule violation, the Board of Stewards assessed **Brent Elston** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **October 19, 2017** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

16.47.1.8. T. KNOWLEDGE OF RULES

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.

Patrick Bovenz

Ron Walker

Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-42
Track New Mexico State Fair
Ruling Date: 9/22/2017

Licensee: FISCAL-GALLEGOS, SERGIO
License Type: 2016 3 Year Trainer Applicant Id: 159309
License Number: 283801

Ruling # 2017-NMS-42

Action Type: Initial Ruling

Ruling:

Trainer Sergio Fiscal-Gallegos having been duly notified, and appeared telephonically before the Board of Stewards Sep. 20, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected at 215 pg/ml in the horse "Blazing Away" (Test Sample #: NM27315), who finished in 1st place in the 6th race on July 8, 2017, at The Downs in Albuquerque. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Sergio Fiscal-Gallegos.

Licensee is found in violation of:

15.2.6.9(C)(1-2-3) NMAC: Which states that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race (b) therapeutic medications in excess of established acceptable levels".

15.2.6.9(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

For Sergio Fiscal-Gallegos 2nd Class 3B medication violation issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards assessed a penalty as follows.

1. A 60 day suspension of all NMRC licenses starting Oct. 31, 2017, through Dec. 29, 2017, inclusive. These dates are associated with other rulings, and may become effective immediately if those rulings are amended.

2. A (\$1000.00) One Thousand dollar fine to paid on or before Oct. 30, 2017, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.

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

This ruling is written in accordance with:

15.2.3.8 B (1)(3)(f)(g)(j)

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

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

16.47.1.8 (T) KNOWLEDGE OF RULES

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.

Patrick Bovey *For Walk* *Amelia Salinas*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-43
Track New Mexico State Fair
Ruling Date: 9/22/2017

Licensee: FISCAL-GALLEGOS, SERGIO

License Type: 2016 3 Year Trainer Applicant Id: 159309
License Number: 283801

Ruling # 2017-NMS-43

Action Type: Initial Ruling

Ruling:

Trainer Sergio Fiscal-Gallegos having been duly notified, and appeared telephonically before the Board of Stewards Sep. 20, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected at 138 pg/ml in the horse "Idalikawin" (Test Sample #: NM27353), who finished in 1st place in the 4th race on July 14, 2017, at The Downs in Albuquerque. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Sergio Fiscal-Gallegos.

Licensee is found in violation of:

15.2.6.9(C)(1-2-3) NMAC: Which states that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race (b) therapeutic medications in excess of established acceptable levels".

15.2.6.9(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

For Sergio Fiscal-Gallegos 3rd Class 3B medication violation issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards assessed a penalty as follows.

1. A 90 day suspension of all NMRC licenses starting Dec. 30, 2017, through Mar. 29, 2018, inclusive. These dates are associated with other rulings, and may become effective immediately if those rulings are amended.

2. A (\$2500.00) Two Thousand Five Hundred dollar fine to paid on or before Oct. 30, 2017, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.

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

This ruling is written in accordance with:

15.2.3.8 B (1)(3)(f)(g)(j)

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

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

16.47.1.8 (T) KNOWLEDGE OF RULES

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.

Patrick Bovenz *Don Walsh* *Linda Salinas*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-44
Track New Mexico State Fair
Ruling Date: 9/22/2017

Licensee: FISCAL-GALLEGOS, SERGIO
License Type: 2016 3 Year Trainer Applicant Id: 159309
License Number: 283801

Ruling # 2017-NMS-44

Action Type: Initial Ruling

Ruling:

Trainer Sergio Fiscal-Gallegos having been duly notified, and appeared telephonically before the Board of Stewards Sep. 20, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected at 64 pg/ml in the horse "El Calero" (Test Sample #: NM27360), who finished in 1st place in the 9th race on July 14, 2017, at The Downs in Albuquerque. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Sergio Fiscal-Gallegos.

Licensee is found in violation of:

15.2.6.9(C)(1-2-3) NMAC: Which states that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race (b) therapeutic medications in excess of established acceptable levels".
15.2.6.9(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

For Sergio Fiscal-Gallegos 4th Class 3B medication violation issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards assessed a penalty as follows.

1. A 180 day suspension of all NMRC licenses starting **Mar. 30, 2018, through Sep. 25, 2018, inclusive.** These dates are associated with other rulings, and may become effective immediately if those rulings are amended.

2. A (\$3000.00) Three Thousand dollar fine to paid on or before **Oct. 30, 2017**, in accordance with **15.2.3.8 (B)(3)(I).** Failure to pay fine in prescribed time may result in an immediate suspension.

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

This ruling is written in accordance with:

15.2.3.8 B (1)(3)(f)(g)(j)

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

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

16.47.1.8 (T) KNOWLEDGE OF RULES

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.

Patrick Bovenz

For Walth

Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-45
Track New Mexico State Fair
Ruling Date: 9/22/2017

Licensee: AMAYA-RUIZ, DANIEL ROBERTO

License Type: 2015 3 Year Jockey Applicant Id: 33287
License Number: 279286

Ruling # 2017-NMS-45

Action Type: Initial Ruling

Ruling:

Jockey **Daniel Ruiz Amaya** having been duly notified telephonically by the Board of Stewards on **September 22, 2017**, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagement in the Seventh race on September 17, 2017, at The New Mexico State Fair.

Narrative: Mr. Amaya was late and replaced by Francisco Amparan

Licensee is found to be in violation of:

15.2.5.13(C)(1) Which states in pertinent part that "Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards."

15.2.5.13(C)(3) Which states in pertinent part that "Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards."

The Board of Stewards hereby assesses **Daniel Ruiz Amaya** a penalty in the amount of **Two hundred dollars (\$200.00)**. The fine is to be paid on or before **October 19, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-46
Track New Mexico State Fair
Ruling Date: 9/22/2017

Licensee: RIVERA, ALONSO

License Type: Applicant Id: 19096
License Number:

Ruling # 2017-NMS-46

Action Type: Initial Ruling

Ruling:

Jockey **Alonso Rivera** having been duly notified telephonically by the Board of Stewards on **September 22, 2017**, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagement in the First, Second, and Third races on September 20, 2017, at The New Mexico State Fair.

Narrative: The Stewards were informed the morning of the 20th that Mr. Rivera would be riding in Indiana. Mr. Rivera named on at two tracks. He did not show up to ride at the New Mexico State Fair.

Licensee is found to be in violation of:

15.2.5.13(C)(1) Which states in pertinent part that "Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards."

15.2.5.13(C)(3) Which states in pertinent part that "Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards."

The Board of Stewards hereby assesses **Alonso Rivera** a penalty in the amount of **Three hundred dollars (\$300.00)**. The fine is to be paid on or before **October 19, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-47
Track New Mexico State Fair
Ruling Date: 9/22/2017

Licensee: MARTINEZ, ADAM J

License Type: 2015 3 Year Jockey Applicant Id: 19893
License Number: 246742

Ruling # 2017-NMS-47

Action Type: Initial Ruling

Ruling:

Jockey **Adam Martinez** having been duly notified telephonically with the Agents by the Board of Stewards on **September 22, 2017**, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagement in the First, Fifth, and Sixth races on September 20, 2017, at The New Mexico State Fair.

Narrative: The Stewards were informed that Mr. Martinez came to the Jockeys room on Wednesday 20th did not check in and left. Rider had to be named at the last minute.

Licensee is found to be in violation of:

15.2.5.13(C)(1) Which states in pertinent part that "Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards."

15.2.5.13(C)(3) Which states in pertinent part that "Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards."

The Board of Stewards hereby assesses **Adam Martinez** a penalty in the amount of **Three hundred dollars (\$300.00)**. The fine is to be paid on or before **October 19, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-48
Track New Mexico State Fair
Ruling Date: 9/22/2017

Licensee: Silva, Jon Paul

License Type: 2017 3 Year Trainer Applicant Id: 159905
License Number: 285880

Ruling # 2017-NMS-48

Action Type: Initial Ruling

Ruling:

Trainer Jon Paul Silva having been duly notified appeared Telephonically in accordance with 15.2.1.9(B)(4)(d) , before the Board of Stewards on **September 22 , 2017** for failure to declare equipment (**Blinkers Off**) at time of entry for "**Smantha Mi Reyna**" entered in the 5th race on September 20, 2017 at The New Mexico State Fair..

Narrative: Blinkers were put on at the gate.

Licensee is found to be in violation of:

15.2.5.8 (B)(10) Procedure For Entries Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

15.2.5.13 (A)(6) Equipment For The Running Of The Race: No licensee may add blinkers to a horse's equipment or discontinue their use without the prior approval of the starter, the paddock judge, and the stewards.

For this rule violation, the Board of Stewards assessed **Jon Paul Silva** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **October 20, 2017**, in accordance with 15.2.3.8(B)(3)(l) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

  
By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-49
Track New Mexico State Fair
Ruling Date: 9/23/2017

Licensee: MARTINEZ, ADAM J

License Type: 2015 3 Year Jockey Applicant Id: 19893
License Number: 246742

Ruling # 2017-NMS-49

Action Type: Initial Ruling

Ruling:

Jockey **Adam Martinez** having been duly notified telephonically with the Agents by the Board of Stewards on **September 23, 2017**, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagement in the First, Sixth, and Ninth races on September 22, 2017, at The New Mexico State Fair.

Narrative: Mr. Martinez called the Clerk of scales and said he would be there. He did not show up 1 hour before the first race to sign in. Trainers were informed and had to find other riders.

Licensee is found to be in violation of:

15.2.5.13(C)(1) Which states in pertinent part that "Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards."

15.2.5.13(C)(3) Which states in pertinent part that "Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards."

The Board of Stewards hereby assesses **Adam Martinez** a penalty in the amount of **Three hundred dollars (\$300.00)**. The fine is to be paid on or before **October 23, 2017**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.

Patrick Bovenz *For Walter* *Teresa Salinas*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-50
Track New Mexico State Fair
Ruling Date: 9/23/2017

Licensee: MARTINEZ, FRANKIE HAROLD

License Type: 2015 3 Year Trainer Applicant Id: 16525
License Number: 278808

Ruling # 2017-NMS-50
Action Type: Initial Ruling
Ruling:

Trainer, **Frankie Martinez** having been duly notified and having appeared telephonically before the Board of Stewards on September 23, 2017, for entering the horse "Mightys First Corona" in a race at another track, which resulted in a scratch from the 10th race on September 23, 2017, at New Mexico State Fair Race Racetrack.

For this rule violation, the Board of Stewards assessed a penalty in the amount of two hundred dollars (\$ 200.00). The fine is to be paid on or before October 22, 2017, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

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

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair 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.