



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-3
Track: New Mexico State Fair
Ruling Date: 9/5/2017

Licensee: ESPARZA, OSVALDO M.
License Type: 2017 3 Year Trainer Applicant Id: 19160
License Number: 286618

Ruling # 2017-NMS-3

Action Type: Initial Ruling

Ruling:

Trainer Osvaldo Esparza, having been duly notified and having responded by telephone before the Board of Stewards on September 5, 2017 for sending an unofficial licensed person to the test barn from the 7th race with the horse El Carranzista on September 2, 2017 at The Downs at Albuquerque.

Narrative: The horse was scratched at the gate by the Vet and sent immediately to the test barn. The trainer was in the Grandstand and someone had to take the horse at the test barn. Citation from the test barn did not state the type of license or persons name.

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 Osvaldo Esparza a penalty in the amount of **Fifty dollars (\$50)**. The fine is to be paid on or before **October 4, 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-4
Track New Mexico State Fair
Ruling Date: 9/6/2017

Licensee: CANO, PORFIRIO VEGA
License Type: 2017 3 Year Jockey Applicant Id: 28814
License Number: 286120

Ruling # 2017-NMS-4

Action Type: Initial Ruling

Ruling:

Jockey, **Cano Porfirio**, having been summoned and having appeared before the Board of Stewards on **September 6, 2017**, for careless riding during the running of the **4th race on September 3, 2017**, at The Downs at Albuquerque Racetrack while aboard "**Dashing Won**" which resulted in his mount being disqualified from First place to eighth place (#1 Drifted out near the 1/16 pole directly in the path of the #2 and #3 causing the #3 to check and lose his position. The #2 had its forward path blocked)

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)(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.

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, the Board of Stewards assessed **Cano Porfirio** a penalty in the amount of \$200.00 Dollars. The fine is to be paid on or before October 5, 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-5
Track New Mexico State Fair
Ruling Date: 9/7/2017

Licensee: FELIX, MARTIN

License Type: 2014 3 Year Jockey Applicant Id: 86561
License Number: 184656

Ruling # 2017-NMS-5

Action Type: Initial Ruling

Ruling:

Jockey, **Martin Felix**, having been summoned and having appeared before the Board of Stewards on **September 7, 2017**, for careless riding during the running of the **2nd race on September 7, 2017**, at The New Mexico State Fair race meet while aboard "**Blue Moon Flash**" which resulted in his mount being disqualified from Second place to seventh place (#1 bore out shortly after the break crowding the #2 pushing #2 into the #3 causing the #3 to check and lose his position. The rider failed to make sufficient effort to straighten his horse.)

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)(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.

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, the Board of Stewards assessed **Martin Felix** a penalty in the amount of \$200.00 Dollars. The fine is to be paid on or before October 6, 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-6
Track: New Mexico State Fair
Ruling Date: 9/9/2017

Licensee: QUERY, MITCHELL LEE
License Type: 2017 1 Year Exercise P Applicant Id: 27021
License Number: 287257

Ruling # 2017-NMS-6

Action Type: Initial Ruling

Ruling:

Exercise Rider, **Michell Query** is hereby notified that his summary suspension effective Sept 1, 2017, after having appeared before the Board of Stewards on Sep.7, 2017, for the violation of 16.47.1.8 (L)(1)(i) – “Grounds for disciplinary measures for a licensee” at Albuquerque Downs on Sept. 1, 2017, is cancelled as the result of the following:

Michell Query waived his right to a 10 day notice and a disciplinary hearing in this matter and consents to the stewards findings.

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”

Board of Stewards assessed a penalty as follows:

1. Exercise License is under **Probation status** until Dec. 31, 2017. Any violation under 16.47.1.8 (L)(1)(i) – will result in suspension of any and all NMRC licenses for a period of 1 year.

This ruling is written in accordance with:

16.47.1.8 (L)(1)(i) – Conduct Which states in pertinent part “The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing”

15.2.3.8 B (3)(A) Stewards Disciplinary Action stewards shall take notice of alleged misconduct or rule violations and initiate investigations into the matters. The stewards shall have authority to charge any licensee for a violation of these rules, to conduct hearings and to impose disciplinary action in accordance with these rules.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the 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-7
Track: New Mexico State Fair
Ruling Date: 9/9/2017

Licensee: SILVA-SIERRA, AGUSTIN
License Type: 2015 3 Year Jockey Applicant Id: 20079
License Number: 278487

Ruling # 2017-NMS-7
Action Type: Initial Ruling
Ruling:

Jockey **Agustin Silva** having been summoned and appeared before the Board of Stewards on **September 9, 2016**, for failure to make sufficient effort to control his mount out of the gate "**Wood Be Kuhl**" in the **5th Race** on **September 8, 2017**, at The New Mexico State Fair.

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)(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.

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."

The Board of Stewards hereby assess, **Agustin Silva** a fine in the amount of **two hundred dollars, (\$200.00)**. This fine is to be paid on or before **October 8, 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-8
Track: New Mexico State Fair
Ruling Date: 9/9/2017

Licensee: FELIX, MARTIN

License Type: 2014 3 Year Jockey Applicant Id: 86561
License Number: 184656

Ruling # 2017-NMS-8

Action Type: Initial Ruling

Ruling:

Jockey, **Martin Felix**, having been summoned and having appeared before the Board of Stewards on **September 9, 2017**, for careless riding during the running of the **4th race on September 8, 2017**, at The New Mexico State Fair Racetrack while aboard "**Wdc Woody B Fast**" which resulted in his mount being disqualified from Fourth place to Ninth place (#4 horse broke in at the start causing the #3 to check. The #4 then drifted out and bumped the #5 and knocked it off stride.)

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)(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.

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, the Board of Stewards assessed **Martin Felix** a suspension of **3 race days (September 25, 2017, September 26, 2017, September 30, 2017)**. **Martin Felix** is allowed to ride designated races.

16.47.1.8. T. KNOWLEDGE OF RULES:

By Order of The New Mexico State Fair Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-9
Track: New Mexico State Fair
Ruling Date: 9/10/2017

Licensee: THEDFORD, TANNER TROY
License Type: 2016 3 Year Jockey Applicant Id: 20419
License Number: 282007

Ruling # 2017-NMS-9

Action Type: Initial Ruling

Ruling:

Jockey **Tanner Thedford** having been duly notified **Telephonically** before the Board of Stewards on **September 9, 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 **Third, Fifth, and Eighth race on September 8, 2017, at New Mexico State Fair Racetrack.**

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 **Tanner Thedford** a penalty in the amount of **Three hundred dollars (\$300.00)**. The fine is to be paid on or before **October 8, 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.

Linda Salinas Ron Walker David Barenz



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-10
Track: New Mexico State Fair
Ruling Date: 9/11/2017

Licensee: THEDFORD, TANNER TROY
License Type: 2016 3 Year Jockey Applicant Id: 20419
License Number: 282007

Ruling # 2017-NMS-10

Action Type: Initial Ruling

Ruling:

Jockey **Tanner Thedford** having been duly notified **Telephonically** before the Board of Stewards on **September 9, 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, and Fourth race on September 9, 2017, at New Mexico State Fair Racetrack.**

Narrative: Tanner Thedford was named on to ride 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 **Tanner Thedford** a penalty in the amount of **Two hundred dollars (\$200.00)**. The fine is to be paid on or before **October 8, 2017**, in accordance with 15.2.3.8(B)(3)(1) 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 Boveny *For Walker* *Linda Salinas*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-NMS-11
Track New Mexico State Fair
Ruling Date: 9/11/2017

Licensee: CARRETE, JESUS J.

License Type: 2015 3 Year Trainer Applicant Id: 3671
License Number: 277319

Ruling # 2017-NMS-11

Action Type: Initial Ruling

Ruling:

Trainer **Jesus J. Carrete** having been duly notified and had his hearing telephonically in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **September 11, 2017**, for failure have his entry, "Swankee" in the paddock at the designated time for the 4th race on September 9,2017, 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 **Jesus Carrete** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **September 18, 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-12
Track: New Mexico State Fair
Ruling Date: 9/11/2017

Licensee: AMAYA-RUIZ, DANIEL ROBERTO
License Type: 2015 3 Year Jockey Applicant Id: 33287
License Number: 279286

Ruling # 2017-NMS-12

Action Type: Initial Ruling

Ruling:

Jockey **Daniel Ruiz Amaya** having been duly notified was represented by his agent before the Board of Stewards on **September 10, 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 Fourth and Ninth race on September 10, 2017, at The New Mexico State Fair race track.

Narrative: Mr. Amaya left without notifying the Stewards he would not be at the track to ride on Sunday September 10, 2017. He had no known Excuse.

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 9, 2017**, in accordance with 15.2.3.8(B)(3)(1) 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.