



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-147
Track Ruidoso Downs
Ruling Date: 8/7/2016

Licensee: MELENDEZ, MONSE
License Type: Trainer Applicant Id: 32513
Date of Birth: 03/19/1985 License Number: 81859

Ruling # 2016-RUI-147

Action Type: Initial Ruling

Ruling:

Trainer **Monse Melendez** having been duly notified and waived his right to a hearing before the **Board Of Stewards on August 7, 2016, regarding a lab report from UC/Davis** (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Dexamethasone (class 4) (penalty category C) found in test sample **NM18614** taken from the **second place finisher "The Maui Corona"** following **the first race, on June 19, 2016 at Ruidoso Downs in Ruidoso, NM.** The original lab report indicated a finding of **Dexamethasone at 148 pg/ml in the blood.** The allowable limit for Dexamethasone is 5 pg/ml in the blood (15.2.6). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Monse Melendez.**

Monse Melendez is found to be in violation of:

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES: The following outline describes the types of substances placed in each category. This list shall be publicly posted in the offices of the official veterinarian and the racing secretary.

(4) Class 4 - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so.

15.2.6.9 C. PENALTY RECOMMENDATIONS:

(3) Category C penalties will be assessed for violations due to the presence of a drug carrying a category C penalty and overages for NSAID's and furosemide (all concentrations are for measurements in serum or plasma). Recommended penalties for category C violations, overages for permitted NSAID's and furosemide are as follows: Dexamethasone (**5pg/ml in the plasma or serum**)

- **First offense (Trainer)** in a Class C category (365-day period) in any jurisdiction in the following levels, the penalty is a minimum fine of \$1,000.

- **Second offense (Trainer)** in a Class C category (365-day period) in any jurisdiction in the following levels, the penalty is a minimum fine of \$1,500 and 15 day suspension.

- **Third offense (Trainer)** in a Class C category (365-day period) in any jurisdiction in the following levels, the penalty is a minimum fine of \$2,500 and 30 day suspension.

- **Reference ARCI Controlled Therapeutic Medication Schedule** – Version 2.2, Revised April, 2015. The level for Dexamethasone is 5 picograms per milliliter of plasma or serum.

15.2.6.9. MEDICATIONS AND PROHIBITED SUBSTANCES: The "uniform" classification guidelines for foreign substances and recommended penalties and model rule", April 2015 version 9.00 and "arci controlled therapeutic medication schedule", version 2.2 revised April, 2015 (furosemide has been modified in the "arci controlled therapeutic medication schedule, refer to Subsection E. of 15.2.6.9 NMAC for current rule)



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as issued by the association of racing commissioners international, are incorporated by reference. Upon a finding of a violation of any medication and prohibited substances rule which includes the possession of contraband as listed in 15.2.6.9. NMAC, the stewards shall consider the classification level of the violation as listed at the time of the violation by the uniform classification guidelines of foreign substances as promulgated by the association of racing commissioners international and impose penalties and disciplinary measures as determined by the New Mexico racing commission.

15.2.6.9. D. MEDICATION RESTRICTIONS:

- (1) 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. Prohibited substances include: drugs or medications for which no acceptable levels have been established; therapeutic medications in excess of established acceptable levels; substances present in the horse in excess of levels at which such substances could occur naturally; substances foreign to a horse at levels that cause interference with testing procedures.
- (2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioner's international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit.
- (3) Except as otherwise provided by this part, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this part during the 24-hour period before post time for the race in which the horse is entered.

16.47.1.10. B. ABSOLUTE INSURER.

- (1) 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 horses. 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 a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties.
- (2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules.
- (3) A trainer whose horse has been claimed remains the absolute insurer for the race in which the horse is claimed.

For this **first Class 4C medication violation** in a 365- day period issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed **Monse Melendez** a penalty as follows:

1.A (\$1,000) one thousand dollar fine to paid on or before September 7, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Which states that "All fines imposed by the Stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered." Failure to pay fine in prescribed time may result in an immediate suspension.



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Licensee: MELENDEZ, MONSE

License Type: Trainer

Applicant Id: 32513

Date of Birth: 03/19/1985

License Number: 81859

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the 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 Ruidoso Downs Stewards



New Mexico Racing Commission
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Ruling #: 2016-RUI-148
Track Ruidoso Downs
Ruling Date: 8/8/2016

Licensee: ORTIZ, JOSE ENRIQUE

License Type: 2016 3 Year Jockey Applicant Id: 35364
Date of Birth: 03/02/1996 License Number: 281100

Ruling # 2016-RUI-148

Action Type: Initial Ruling

Ruling:
issued in error

15.2.5.13(C)(3) NMAC:

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."

15.2.5.13(C)(1) NMAC:

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."

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the 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 Ruidoso Downs Stewards



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Ruling #: 2016-RUI-149
Track Ruidoso Downs
Ruling Date: 8/8/2016

Licensee: CARLSON, RONALD JAMES
License Type: 2016 1 Year Janitor Applicant Id: 158854
Date of Birth: 07/20/1961 License Number: 282193

Ruling #: 2016-RUI-149

Action Type: Initial Ruling

Ruling:

1 year Janitor, **Ronald James Carlson**, having been duly notified, failing to appear, and had hearing held in absentia before the Board of Stewards on **August 7, 2016 at Ruidoso Downs**, for failing to disclose criminal/arrest history on his licensing application.

Ronald James Carlson is found to be in violation of:

For this violation, the Board of Stewards issue **Ronald James Carlson** a penalty of the following: A suspension of any/all New Mexico Racing Commission licenses, effective immediately **July August 7, 2016**, and is referred to the New Mexico Racing Commission for any future licensing in New Mexico.

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

16.2.1.8 (L)(1) 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: (a) has been convicted of a felony (d) has failed to disclose or falsely states any information required in the application

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

16.2.1.8 (L)(1) 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: (a) has been convicted of a felony; (d) has failed to disclose or falsely states any information required in the application

15.2.1.9(C)(21)(d) NMAC:

Whereas it is in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the rules,"

Theriot Smith

Jim Cook

Robert Rios



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-150
Track Ruidoso Downs
Ruling Date: 8/8/2016

Licensee: HARVEY, AARON

License Type: 2016 3 Year Owner Applicant Id: 158759
Date of Birth: 04/11/1970 License Number: 281869

Ruling # 2016-RUI-150

Action Type: Initial Ruling

Ruling:

Owner, Aaron Harvey, having been duly notified and having responded telephonically before the Board of Stewards on August 8, 2016 at Ruidoso Downs, for failing to disclose criminal/arrest history on his licensing application dated May 21, 2016.

Aaron Harvey is found to be in violation of:

For this violation, the Board of Stewards assessed Aaron Harvey a fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before September 7, 2016 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

Owner, Aaron Harvey is found to be in violation of.

15.2.3.8 B(3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission. **(g)** The stewards may order that a person be ineligible for licensing; or they may deny a license to an applicant on grounds set forth in the act or these rules

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.

16.47.1.8 (L)(1) 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: **(d)** has failed to disclose or falsely states any information required in the application

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the 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."



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Ruling #: 2016-RUI-151
Track Ruidoso Downs
Ruling Date: 8/8/2016

Licensee: CHAVEZ, RYAN JOSEPH

License Type: 2016 1 Year Janitor Applicant Id: 158901
Date of Birth: 11/11/1975 License Number: 282325

Ruling # 2016-RUI-151

Action Type: Initial Ruling

Ruling:

1 Year Janitor, Ryan J. Chavez having been duly notified and having appeared before the Board of Stewards on August 8, 2016 at Ruidoso Downs, for failing to disclose criminal/arrest history on his licensing application dated June 12, 2016.

Ryan J. Chavez is found to be in violation of:

For this violation, the Board of Stewards assessed Ryan J. Chavez a fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before September 7, 2016 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
Ryan J. Chavez is found to be in violation of.

16.47.1.8 (L)(1) 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: **(a)** has been convicted of a felony;
(d) has failed to disclose or falsely states any information required in the application

15.2.3.8 B(3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission. **(g)** The stewards may order that a person be ineligible for licensing; or they may deny a license to an applicant on grounds set forth in the act or these rules.

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.

16.47.1.8 (L)(1) 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: **(d)** has failed to disclose or falsely states any information required in the application

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the 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."



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Ruling #: 2016-RUI-152
Track Ruidoso Downs
Ruling Date: 8/11/2016

Licensee: CARNERO, IVAN

License Type: 2014 3 Year Jockey

Applicant Id: 86520

Date of Birth: 04/17/1992

License Number: 153185

Ruling # 2016-RUI-152

Action Type: Initial Ruling

Ruling:

Upon receipt of Laboratory report from Quest Diagnostics of urine sample # 20522N taken from Ivan Carnero on August 6, 2016 at Ruidoso Downs, stating the rejection of sample for insufficient specimen volume, therefore Jockey Ivan Carnero is hereby restored to good standing as of August 11, 2016.

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the 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 Ruidoso Downs Stewards

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Tyler Smith *[Signature]* *[Signature]*



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4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-153
Track Ruidoso Downs
Ruling Date: 8/12/2016

Licensee: NEVAREZ-MORALES, CARLOS ABEL
License Type: 2016 1 Year Groom Applicant Id: 158915
Date of Birth: 07/21/1995 License Number: 282357

Ruling # 2016-RUI-153

Action Type: Initial Ruling

Ruling:

1 Year Groom, CARLOS ABEL NEVAREZ-MORALES, having been duly notified and having responded telephonically before the Board of Stewards on August 12, 2016 at Ruidoso Downs, for failing to disclose criminal/arrest history on his licensing application.

For this violation, the Board of Stewards assessed CARLOS ABEL NEVAREZ-MORALES a fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before September 12, 2016 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

CARLOS ABEL NEVAREZ-MORALES is found to be in violation of.

16.47.1.8 (L)(1) 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: (a) has been convicted of a felony; (d) has failed to disclose or falsely states any information required in the application

15.2.3.8 B(3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission. (g) The stewards may order that a person be ineligible for licensing; or they may deny a license to an applicant on grounds set forth in the act or these rules.

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.

16.47.1.8 (L)(1) 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: (d) has failed to disclose or falsely states any information required in the application

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
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Ruling #: 2016-RUI-154
Track Ruidoso Downs
Ruling Date: 8/12/2016

Licensee: GUTIERREZ, TAURINO GONZALEZ
License Type: Trainer Applicant Id: 33130
Date of Birth: 01/04/1956 License Number: 81840

Ruling # 2016-RUI-154

Action Type: Initial Ruling

Ruling:

Trainer **Taurino Gutierrez** having been duly notified and responded by telephone before the Board of Stewards on **August 12, 2016**, for failing to have registration papers on file for entry **Gospel Music**, which resulted in a late scratch and mutuel refund of the **eighth race on July 23, 2016 at Ruidoso Downs**.

For this violation, the Board of Stewards assessed **Taurino Gutierrez** a fine in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **September 12, 2016** 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

Trainer **Taurino Gutierrez** is found to be in violation of.

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.

16.47.1.10(C)(7) NMAC:

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

15.2.5.12(B) NMAC:

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

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the 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 Ruidoso Downs Stewards



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4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-155
Track Ruidoso Downs
Ruling Date: 8/13/2016

Licensee: CHAVIRA, JONATHAN ADOLFO
License Type: 2015 3 Year Trainer Applicant Id: 158322
Date of Birth: 10/10/1991 License Number: 280176

Ruling # 2016-RUI-155

Action Type: Initial Ruling

Ruling:

The Trainer License issued to JONATHAN ADOLFO CHAVIRA, is hereby suspended effective immediately for being suspended in another jurisdiction (Colorado Racing Commission Case No. 16-0734).

(JONATHAN ADOLFO CHAVIRA) must be reinstated by Colorado and must appear before the Board of Stewards prior to any future licensing)

JONATHAN ADOLFO CHAVIRA is found to be in violation of:

15.2.1.9(B)8 (c) The stewards shall honor the rulings issued by other pari-mutuel racing commissions.

16.47.1.8 (L)(1) (e) **GROUND FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF LICENSE:** has been found in violation of rules governing racing in this state or other jurisdictions

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

6.47.1.8. 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.

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."

15.2.3.8(B)(1)(d) NMAC:

Which states in pertinent part that "The Stewards have the authority to interpret the rules and decide questions of racing not specifically covered by the rules."



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Albuquerque, NM 87113

Ruling #: 2016-RUI-156
Track Ruidoso Downs
Ruling Date: 8/13/2016

Licensee: PARGA-LEOS, JAIME
License Type: Jockey Applicant Id: 30593
Date of Birth: 01/01/1981 License Number: 80735

Ruling # 2016-RUI-156

Action Type: Initial Ruling

Ruling:

Jockey **Jaime Parga Leos** having been duly notified, failing to appear, and having his hearing held in absentia before the Board of Stewards on **August 12, 2016**, for having failed to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagements. **on July 17, 2016 at Ruidoso Downs.**

For this rule violation, the Board of Stewards assessed **Jaime Parga Leos** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **September 13, 2016**, in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

Jaime Parga Leos is found to be in violation of:

15.2.1.9(b): 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.

15.2.5.13(C)(1) NMAC: 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."

5.2.5.13(C)(3) NMAC: 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."

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.

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

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Ruling #: 2016-RUI-157
Track Ruidoso Downs
Ruling Date: 8/13/2016

Licensee: MUNOZ, JR GUADALUPE

License Type: 2014 3 Year Trainer Applicant Id: 21993
Date of Birth: 11/28/1981 License Number: 112193

Ruling # 2016-RUI-157

Action Type: Initial Ruling

Ruling:

Trainer Guadalupe Munoz Jr, having been duly notified and appeared before the Board of Stewards on **August 13, 2016**, regarding a security citation for working an unlicensed groom on **July 23, 2016 at Ruidoso Downs**.

The Board of Stewards assessed **Guadalupe Munoz Jr** a penalty in the amount of two **hundred dollars (\$200)**. The fine is to be paid on or before **September 13, 2016** 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.

Guadalupe Munoz Jr was found to be in violation of Commission rules.

16.47.1.8 (G)(1) NMAC: Which states in pertinent part "The employment of any unlicensed person under the jurisdiction of the Commission is prohibited".

16.47.1.10 (C)(4) NMAC: Which states in pertinent part "A Trainer must provide a list to the Chief of Security of the Trainer's employees on association grounds and any other area under the jurisdiction of the Commission.

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.

16.47.1.8 A. A person as defined by Subsection P, Paragraph (7) of 15.2.1.7 NMAC shall not participate in pari mutuel racing under the jurisdiction of the commission, or be employed by an association who is a gaming operator, without a valid license issued by the commission. **(1)** License categories shall include the following and others as may be established by the commission: **GROUP A** - racing participants eligible for an optional annual or triennial year license to include owners, trainers, veterinarians, jockeys, and stable name registrations. **GROUP B** - associations, racing professionals, concession operators, contractors, and managerial racing officials. **GROUP C** - supervisory racing officials. **GROUP D** - persons employed by the association, or employed by a person or concern contracting with the association, to provide a service or commodity, which requires their presence in a restricted area, or anywhere on association grounds while pari mutuel wagering is being conducted. **GROUP E** - racetrack employees and authorized agents **(2)** Persons required to be licensed shall submit a completed application on forms furnished by the commission and accompanied by the required fee. The following fees are assessed for the issuance of the specified licenses. In addition to license fees listed herein, \$20.00 is assessed for each identification picture and badge. **15.2.1.8 B. (1)** The commission shall regulate each race meeting and the persons who participate in each race meeting

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

6.47.1.8. 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.

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."



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-158
Track Ruidoso Downs
Ruling Date: 8/13/2016

Licensee: QUINTANILLA, VICTOR

License Type: 2016 1 Year Assistant Applicant Id: 6465
Date of Birth: 08/04/1968 License Number: 282021

Ruling # 2016-RUI-158

Action Type: Initial Ruling

Ruling:

Assistant Trainer, Victor Quintanilla having appeared before the Board of Stewards on August 13, 2016, concerning the continuation of summary suspension hearing originally scheduled for July 16, 2016, then continued to July 23, 2016, for testing positive for prohibited substances amphetamines and methamphetamines and possession of drug paraphernalia (pipe and scale).

For this violation, the Board of Stewards issued Victor Quintanilla a penalty of the following: Suspension of all NMRC licenses for 60 days starting August 24, 2016 through October 10, 2016 inclusive (Mr. Quintanilla was credited with 13 days having been served via summary suspension July 10, 2016 through July 23, 2016 ruling 2016-RUI-79 dated July 10, 2016. Summary suspension was lifted July 23, 2016 and continued pending confirmation from the lab.)

In Addition, Victor Quintanilla must complete a formal assessment and treatment that meet the conditions given in 16.47.1.18.C NMAC prior to reinstatement.

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

16.47.1.18 B. FIRST-TIME OFFENDERS: (1) The board of stewards or the commission may, at its discretion, order the licensee to obtain a professional assessment to determine whether there is a substantial probability that the licensee is dependent on, or abuses, alcohol or other drugs or the board of stewards or the commission may act on the information at hand. (2) Actions in the case of first offenders may include revocation of the license, suspension of the license for up to six (6) months, placing the offender on probation for up to ninety (90) days or ordering formal assessment and treatment. (3) Treatment or assessment, if ordered, must meet the conditions given in 16.47.1.18.C NMAC

16.47.1.18 (c) (3) If a professional assessment indicates presence of a treatable problem of alcohol or other drug abuse or dependence, the board of stewards or the commission may order the licensee to undergo treatment as a condition of continuing licensure. Such treatment will be through a program or by a practitioner, acceptable to the licensee and the board of stewards or the commission. Required features of any program or practitioner acceptable to the board of stewards or the commission will be: accreditation or licensure by an appropriate government agency, if required by state statute; a minimum of one year follow-up treatment; and, a formal contract indicating the elements of the treatment and follow-up program that will be completed by the licensee and, upon completion, certified to the board of stewards or the commission as completed. To effect the contract, the licensee will authorize release of information by the treating agency, hospital or individual.

16.47.1.8(L)(1)(h) NMAC: Which states that "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued or order disciplinary measures, if the applicant is a person whose conduct or reputation may reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit to, disruptive or intemperate behavior or behavior which exposes otherS to danger anywhere on the racetrack grounds. The fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule."

16.47.1.8(L)(1)(b) NMAC: Which states in pertinent part that "The Commission may revoke a license issued if the applicant has been convicted of violating any law regarding gambling or a controlled or dangerous substance."

60-1A-11(C) NMSA: Which states in pertinent part that "A person issued or applying for an occupational license who has positive test results for a controlled substance or who has been convicted of a violation of a federal or state controlled substance law shall be denied a license or shall subject to revocation of an existing license unless sufficient evidence of rehabilitation is presented to the commission."

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-159
Track Ruidoso Downs
Ruling Date: 8/13/2016

Licensee: EVANS, JUSTIN ROBERT

License Type: 2015 3 Year Trainer Applicant Id: 30562
Date of Birth: 06/22/1981 License Number: 246959

Ruling # 2016-RUI-159

Action Type: Initial Ruling

Ruling:

Trainer Justin Evans, having been duly notified and waived his right to a hearing before the Board of Stewards on **August 13, 2016**, regarding a security citation for working an unlicensed groom on **August 7, 2016 at Ruidoso Downs**.

The Board of Stewards assessed **Justin Evans** a penalty in the amount of two **hundred dollars (\$200)**. The fine is to be paid on or before **September 13, 2016** 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.

Justin Evans was found to be in violation of Commission rules.

16.47.1.8 (G)(1) NMAC: Which states in pertinent part "The employment of any unlicensed person under the jurisdiction of the Commission is prohibited".

16.47.1.10 (C)(4) NMAC: Which states in pertinent part "A Trainer must provide a list to the Chief of Security of the Trainer's employees on association grounds and any other area under the jurisdiction of the Commission.

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.

16.47.1.8 A. A person as defined by Subsection P, Paragraph (7) of 15.2.1.7 NMAC shall not participate in pari mutuel racing under the jurisdiction of the commission, or be employed by an association who is a gaming operator, without a valid license issued by the commission. **(1)** License categories shall include the following and others as may be established by the commission: **GROUP A** - racing participants eligible for an optional annual or triennial year license to include owners, trainers, veterinarians, jockeys, and stable name registrations. **GROUP B** - associations, racing professionals, concession operators, contractors, and managerial racing officials. **GROUP C** - supervisory racing officials. **GROUP D** - persons employed by the association, or employed by a person or concern contracting with the association, to provide a service or commodity, which requires their presence in a restricted area, or anywhere on association grounds while pari mutuel wagering is being conducted. **GROUP E** - racetrack employees and authorized agents **(2)** Persons required to be licensed shall submit a completed application on forms furnished by the commission and accompanied by the required fee. The following fees are assessed for the issuance of the specified licenses. In addition to license fees listed herein, \$20.00 is assessed for each identification picture and badge. **15.2.1.8 B. (1)** The commission shall regulate each race meeting and the persons who participate in each race meeting

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15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-160
Track Ruidoso Downs
Ruling Date: 8/14/2016

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

Ruling # 2016-RUI-160

Action Type: Initial Ruling

Ruling:

Trainer Ronald Stephens, having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **August 13, 2016**, regarding a security citation for working an unlicensed groom on **July 28, 2016 at Ruidoso Downs**.

The Board of Stewards assessed **Ronald Stephens** a penalty in the amount of two **hundred dollars (\$200)**. The fine is to be paid on or before **September 14, 2016** 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.

Ronald Stephens was found to be in violation of Commission rules.

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

16.47.1.8 (G)(1) NMAC: Which states in pertinent part "The employment of any unlicensed person under the jurisdiction of the Commission is prohibited".

16.47.1.10 (C)(4) NMAC: Which states in pertinent part "A Trainer must provide a list to the Chief of Security of the Trainer's employees on association grounds and any other area under the jurisdiction of the Commission.

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15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-161
Track Ruidoso Downs
Ruling Date: 8/14/2016

Licensee: HONE, BART G.

License Type: 2016 3 Year Trainer Applicant Id: 14800
Date of Birth: 04/03/1959 License Number: 281047

Ruling # 2016-RUI-161

Action Type: Initial Ruling

Ruling:

Trainer Bart Hone, having been duly notified and having responded telephonically before the Board of Stewards on **August 14, 2016**, for employing owner David Durante Dias as a groom, a capacity for which he was not licensed on **July 23, 2016 at Ruidoso Downs**.

Bart Hone was found to be in violation of Commission rules. Thus, for this **FIRST EMPLOYMENT VIOLATION IN A 365 DAY PERIOD WORKING A GROOM WITH A VALID LICENSE IN A CAPACITY IN WHICH THEY WERE NOT LICENSED FOR**, the Board of Stewards assessed **Bart Hone** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or **before a September 14, 2016** 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.

Licensee is found to be in violation of the following rules:

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.

16.47.1.10 (C)(4) NMAC: Which states in pertinent part "A Trainer must provide a list to the Chief of Security of the Trainer's employees on association grounds and any other area under the jurisdiction of the Commission.

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

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By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-162
Track Ruidoso Downs
Ruling Date: 8/14/2016

Licensee: RUIZ, JUVENTINO MUNOZ
License Type: Applicant Id: 24326
Date of Birth: 03/28/1969 License Number:

Ruling # 2016-RUI-162

Action Type: Initial Ruling

Ruling:

Trainer, Juventino Ruiz having been duly notified and having failed to appear before the Board of Stewards on August 14, 2016 for employing unlicensed help, Leo Herrera. The hearing was held in absentia.

For this rule violation, the Board of Stewards ordered a penalty in the amount of two hundred dollars (\$200.00). This fine is to paid on or before September 14, 2016 in accordance with 15.2.3.8(B)(3)(1) NMAC. Failure to pay this fine within prescribed time may result in suspension.

16.47.1.10(C)(4)NMAC providing a list to the chief of security of the trainer's employees on association grounds and any other area under the jurisdiction of the commission; the list shall include each employee's name, occupation, social security number, and occupational license number; the chief of security shall be notified by the trainer, in writing, within 24 hours of any change;

15.2.3.8.B(3)(f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude
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.rom grounds under the jurisdiction of the commission.

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By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-163
Track Ruidoso Downs
Ruling Date: 8/15/2016

Licensee: GONZALES, ANTOINETTE MARIE
License Type: 2015 3 Year Trainer Applicant Id: 26432
Date of Birth: 09/08/1977 License Number: 246806

Ruling # 2016-RUI-163

Action Type: Initial Ruling

Ruling:

Trainer Antoinette Gonzalez having been duly notified and appeared before the Board of Stewards on August 14, 2016, for failure to declare equipment (Flipping Halter ON) at time of entry for Tac A Pearl, entered in the sixth race, on July 30, 2016, at Ruidoso Downs.

For this rule violation, the Board of Stewards assessed a penalty in the amount of fifty dollars (\$50.00). The fine is to be paid on or before September 15, 2016 in accordance with 15.2.3.8(B)(3)(I) NMAC.

Failure to pay the fine within the time prescribed may result in immediate suspension.
Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

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By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-RUI-164
Track Ruidoso Downs
Ruling Date: 8/15/2016

Licensee: REYES, CHRISTIAN SANTIAGO

License Type: 2016 3 Year Jockey Applicant Id: 2601
Date of Birth: 09/01/1989 License Number: 280726

Ruling # 2016-RUI-164

Action Type: Initial Ruling

Ruling:

Jockey, Christian Santiago Reyes, having been summoned and having appeared before the Board of Stewards on August 15, 2016, for careless riding during the running of the first race on August 14, 2016, at Ruidoso Downs, while aboard #4 "The Patriot Game" which resulted in the disqualification of his mount from first place to sixth place. (Bore in sharply going around the far turn, causing inference with 7.)

For this violation, the Board of Stewards assessed Christian Santiago Reyes a suspension of 4 race days (August 22, 2016, August 26, 2016, August 27, 2016, and August 28, 2016).

Christian Santiago Reyes is allowed to ride designated races.

This ruling is in accordance with:

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

15.2.5.13(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."

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

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

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By Order of The Ruidoso Downs Stewards