



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-165  
Track: Ruidoso Downs  
Ruling Date: 8/20/2016

Licensee: RAMIREZ, JOSE R  
License Type: 2016 3 Year Jockey      Applicant Id: 7960  
Date of Birth: 10/02/1980      License Number: 283031

Ruling # 2016-RUI-165

Action Type: Initial Ruling

Ruling:

Jockey, **JR Ramirez**, having been summoned and having appeared before the Board of Stewards on August 20, 2016, for careless riding during the running of the second race on August 19, 2016, at Ruidoso Downs, while aboard #4 "SILK ON FIRE V" which resulted in the disqualification of his mount from fourth place to ninth place. (Bore out under left handed whip impeding outside horses.)

For this violation, the Board of Stewards assessed **JR Ramirez** a suspension of 3 race days (August 28, 2016, August 29, 2016, and September 2, 2016).

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

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

**15.2.3.8 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."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-166  
Track Ruidoso Downs  
Ruling Date: 8/20/2016

Licensee: WILLIS, EDDIE D.  
License Type: 2016 3 Year Trainer      Applicant Id: 5410  
Date of Birth: 07/07/1957      License Number: 282354

Ruling # 2016-RUI-166  
Action Type: Initial Ruling  
Ruling:

**Trainer Eddie Willis** having been duly notified, having appeared before the before the Board of Stewards on **August 20, 2016**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for **MS VALIANT PERRY**, entered in **the third race**, on **August 1, 2016, at Ruidoso Downs**.

For this rule violation, the Board of Stewards assessed **Eddie Willis** a penalty in the amount of **fifty dollars (\$ 50.00)**. The fine is to paid on or before **September 20, 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.

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."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-167  
Track Ruidoso Downs  
Ruling Date: 8/20/2016

Licensee: FINCHER, TODD W.  
License Type: Applicant Id: 27974  
Date of Birth: 08/27/1971 License Number:

Ruling # 2016-RUI-167

Action Type: Initial Ruling

Ruling:

**Trainer Todd Fincher**, having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on August 19, 2016, regarding a security citation for working a two unlicensed grooms on July 31, 2016 at Ruidoso Downs.

The Board of Stewards assessed **Todd Fincher** a penalty in the amount of three hundred dollars (\$300). The fine is to be paid on or before September 20, 2016 in accordance with 15.2.3.8(B)(3)(1) NMAC.

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

**Todd Fincher** 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."



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Ruling #: 2016-RUI-168  
Track Ruidoso Downs  
Ruling Date: 8/21/2016

Licensee: CARNERO, IVAN

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

Ruling # 2016-RUI-168

Action Type: Initial Ruling

Ruling:

Jockey Ivan Carnero, having been summoned and appeared before the Board of Stewards on August 20, 2016, for failure to make sufficient effort to control his mount out of the gate "MC FIREANDBRIMSTONE" in the 12th Race on August 19, 2016, at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, Ivan Carnero, a fine in the amount of two hundred dollars, (\$200.00).

The fine is to be paid on or before September 21, 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.

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

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

15.2.3.8 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."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: 2016-RUI-169  
Track Ruidoso Downs  
Ruling Date: 8/21/2016

Licensee: HERRERA, RAUL  
License Type: 2014 3 Year Jockey Applicant Id: 46080  
Date of Birth: 09/20/1990 License Number: 81953

Ruling # 2016-RUI-169

Action Type: Initial Ruling

Ruling:

Jockey **Raul Herrera**, having been summoned, failing to appear, and having his hearing held in absentia before the Board of Stewards on **August 20, 2016**, returning to the unsaddling saddling area with a lame horse after the 6th race **on August 19, 2016**, at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Raul Herrera**, a fine in the amount of **two hundred dollars, (\$200.00)**.

The fine is to be paid on or before **September 21, 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.

This ruling is in accordance with:

**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.

**16.47.1.8(L)(1)(h) NMAC:** 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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds. The fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule."

**15.2.3.8 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."

**15.2.1.9(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



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: 2016-RUI-170  
Track Ruidoso Downs  
Ruling Date: 8/21/2016

Licensee: VALENZUELA, JOHNNY RAUL  
License Type: 2016 3 Year Jockey      Applicant Id: 16628  
Date of Birth: 01/12/1961      License Number: 280990

Ruling # 2016-RUI-170

Action Type: Initial Ruling

Ruling:

Jockey **JOHNNY RAUL VALENZUELA**, having been summoned and appeared before the Board of Stewards on **August 20, 2016**, for failure to make sufficient effort to control his mount out of the gate "**Zoomin Flash**" in the **12th Race on August 19, 2016**, at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **JOHNNY RAUL VALENZUELA**, a fine in the amount of **two hundred dollars, (\$200.00)**.

The fine is to be paid on or before **September 21, 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.

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

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

**15.2.3.8 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."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-171  
Track Ruidoso Downs  
Ruling Date: 8/21/2016

Licensee: HERRERA, RAUL  
License Type: 2014 3 Year Jockey Applicant Id: 46080  
Date of Birth: 09/20/1990 License Number: 81953

Ruling # 2016-RUI-171

Action Type: Initial Ruling

Ruling:

**Jockey Raul Herrera**, having failed to appear or send a jockey guild's representative when summoned by the Board of Stewards for race/film review regarding the **6th race on August 19, 2016, at Ruidoso Downs**, is found in violation of Commission rules.

For this rule violation, the Board of Stewards assessed **Raul Herrera** a penalty of **fifty dollars (\$50.00)**. The fine is to be paid on or before **September 21, 2016**, in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

15.2.1.9(B)(4)(d)NMAC: Which states in pertinent part that "Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the board of 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.

**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."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-172  
Track Ruidoso Downs  
Ruling Date: 8/22/2016

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

Ruling # 2016-RUI-172

Action Type: Initial Ruling

Ruling:

**Trainer Arnulfo Ascencio Jr**, having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **August 21, 2016** for failure to have sufficient works for entry "**Red Dirt Rookie**" in the **ninth race August 5, 2016 at Ruidoso Downs**.

**Arnulfo Ascencio Jr** is found to be in violation of:

**15.2.5.11 WORKOUTS: A. REQUIREMENTS:(1)** A non-starter must have had within sixty (60) days of entry one (1) approved official schooling race or at least two (2) workouts recorded at a pari mutuel or commission recognized facility and posted with the racing secretary prior to time of race, one (1) of the two (2) workouts shall be from the starting gate, and be gate approved. It shall be the trainer's responsibility to establish validity as to workouts and gate approvals. **(2)** Any horse which has started, but not within six (6) months, must have one (1) official workout from the starting gate or must have proof of standing the horse at least one (1) time within a sixty (60) day period. Any horse which has started, but not within sixty (60) days, must have at least one (1) workout within sixty (60) days prior to time of race. Horses that have not started within six (6) months of entry must have at least two (2) approved workouts within the sixty (60) days. **(3)** Horses that have never raced around the turn will be required to have within thirty (30) days prior to time of race, at least one (1) workout at 660 yards or farther. Horses that have previously started in a race around the turn, but not within sixty (60) days, will be required to have at least one (1) workout at 660 yards or farther prior to time of race.

**15.2.5.12 (L) NMAC:** Which states in pertinent part "A horse shall be ineligible to start in a race when it lacks official published workouts".

**16.47.1.10 (C)(18) NMAC:** Which states in pertinent part "The Trainer is responsible for horses entered as to eligibility, weight, or other allowances claimed".

**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."

**15.2.1.9(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.

For this rule violation, the Board of Stewards assessed **Arnulfo Ascencio Jr** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **September 22, 2016**, 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.

By Order of The Ruidoso Downs Stewards





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Ruling #: 2016-RUI-173  
Track Ruidoso Downs  
Ruling Date: 8/22/2016

Licensee: ASCENCIO, JR ARNULFO

License Type:

Applicant Id: 23046

Date of Birth: 04/28/1981

License Number: 279126

Ruling # 2016-RUI-173

Action Type: Initial Ruling

Ruling:

**Trainer Arnulfo Ascencio Jr.**, having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **August 21, 2016** for falsification of identification of the horse "**Red Dirt Rookie**" in an official workout the morning of **August 5, 2016 at Ruidoso Downs.** (Trainer identified a horse as "Red Dirt Rookie" for an official workout on August 5, 2016. The clocker's requested for the official outrider to identify the horse in question; after reading the lip tattoo it was determined that the horse in question was not Red Dirt Rookie.)

**Arnulfo Ascencio Jr** is found in violation of Commission rules

For this rule violation, the Board of Stewards assessed **Arnulfo Ascencio Jr** a penalty of

1. A fine in the amount of **one thousand dollars (\$1000.00)**. The fine is to be paid on or before **September 22, 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.

2. A suspension of all NMRC licenses for 15 days starting September 1, 2016 through September 17, 2016 inclusive

During said time of applicable suspension, Arnulfo Ascencio Jr 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) NMAC, and 15.2.3.8 (B)(3)(f) NMAC. Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Arnulfo Ascencio Jr are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC. **Arnulfo Ascencio Jr** is found to be in violation of:

**15.2.5.11 WORKOUTS: A. REQUIREMENTS:(1) (2)** Any horse which has started, but not within six (6) months, must have one (1) official workout from the starting gate or must have proof of standing the horse at least one (1) time within a sixty (60) day period. Any horse which has started, but not within sixty (60) days, must have at least one (1) workout within sixty (60) days prior to time of race. Horses that have not started within six (6) months of entry must have at least two (2) approved workouts within the sixty (60) days.

**15.2.5.11 B. IDENTIFICATION:** (1) Each horse must be properly identified prior to its participation in an official timed workout  
**16.47.1.10 B. ABSOLUTE INSURER: (1)** The trainer is the absolute insurer of the condition of horses entered in an official workout  
**16.47.1.8(L)(1)(h) NMAC:** 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 or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds. The fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule."

**15.2.3.8 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)(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.

**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."

*Robert Smith Jill Collins*

*John Doe*