



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-RUI-174  
Track: Ruidoso Downs  
Ruling Date: 8/26/2016

Licensee: DIAZ-DUARTE, DAVID  
License Type: 2013 3 year Owner      Applicant Id: 22056  
Date of Birth: 07/21/1969      License Number: 60318

Ruling # 2016-RUI-174

Action Type: Initial Ruling

Ruling:

**Owner David Diaz-Durante**, having been duly notified and having appeared before the Board of Stewards on **August 20, 2016**, for working for trainer Bart Hone as a groom, a capacity for which he was not licensed on **July 24, 2016 at Ruidoso Downs**.

**David Diaz-Durante** was found to be in violation of Commission rules. Thus, for this **FIRST EMPLOYMENT VIOLATION IN A 365 DAY PERIOD WORKING AS A GROOM WITH A VALID LICENSE IN A CAPACITY IN WHICH HE WAS NOT LICENSED FOR**, the Board of Stewards assessed **David Diaz-Durante** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or **before a September 26, 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.

**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.

**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.

**15.2.1.9(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-175  
Track: Ruidoso Downs  
Ruling Date: 8/26/2016

Licensee: HELZER, JAMES EVERETT  
License Type: 2015 3 Year Trainer      Applicant Id: 34600  
Date of Birth: 01/26/1940      License Number: 278814

Ruling #      2016-RUI-175

Action Type:      Initial Ruling

Ruling:

**Trainer James E Helzer** having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **August 20, 2016**, for failure to declare equipment (**Flipping Halter ON**) at time of entry for **Firing Tools**, entered in **the fourth race**, on **August 1, 2016, at Ruidoso Downs**.

For this rule violation, the Board of Stewards assessed a penalty in the amount off **fifty dollars (\$ 50.00)**. The fine is to paid on or before **September 26, 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."

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Ruling #: 2016-RUI-176  
Track Ruidoso Downs  
Ruling Date: 8/26/2016

Licensee: DOMINGUEZ, HENRY

License Type: Trainer Applicant Id: 11241  
Date of Birth: 04/23/1958 License Number: 81905

Ruling # 2016-RUI-176

Action Type: Initial Ruling

Ruling:

Trainer Henry Dominguez having been duly notified, having failed to appear and had his hearing held in absentia before the Board of Stewards on August 22, 2016, for failure to declare equipment (Blinkers On) at time of entry for Cataflying, entered in the eighth race, on August 1, 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 26, 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."

**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.



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Ruling #: 2016-RUI-177  
Track Ruidoso Downs  
Ruling Date: 8/26/2016

Licensee: SALCEDO, MAURO  
License Type: 2016 3 Year Apprentice Applicant Id: 137075  
Date of Birth: 09/17/1995 License Number: 280566

Ruling # 2016-RUI-177

Action Type: Initial Ruling

Ruling:

Jockey, Mauro Salcedo, having been summoned and having appeared before the Board of Stewards on August 26, 2016, for careless riding during the running of the first race on August 22, 2016, at Ruidoso Downs, while aboard #1 "C.P. Prado" which resulted in the disqualification of his mount from fourth place to sixth place. (Bore in sharply turning for home coming down on 6 causing him to check and alter course.) For this violation, the Board of Stewards assessed Mauro Salcedo a suspension of 3 race days (September 3, 2016, September 4, 2016, and September 5, 2016). Mauro Salcedo 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."



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Ruling #: 2016-RUI-178  
Track Ruidoso Downs  
Ruling Date: 8/27/2016

Licensee: FLORES, JR FELIPE JESUS  
License Type: Trainer Applicant Id: 12183  
Date of Birth: 02/05/1983 License Number: 81886

Ruling # 2016-RUI-178

Action Type: Initial Ruling

Ruling:

Trainer **Felipe Flores Jr** having been duly notified, failing to appear, and had his hearing held in absentia before the Board of Stewards on **August 26, 2016**, for missing Lasix and for entry, **Current Hero**, which resulted in a late scratch and mutuel refund in **the first race on August 7, 2016 at Ruidoso Downs**.

For this violation, the Board of Stewards assessed **Felipe Flores Jr** a fine in the amount of **two hundred dollars, (\$200.00)**. The fine is to be paid on or before **September 27, 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 **Felipe Flores Jr** is found to be in violation of.

**15.2.6.9(E) (2)** The use of furosemide (**Salix**) shall be permitted under the following circumstances on association grounds where a detention barn is utilized: furosemide (**Salix**) shall be administered no less than three hours prior to post time for a quarter horse race for which the horse is entered and no less than four hours prior to post time for a thoroughbred race for which a horse is entered. A horse qualified for a furosemide (**Salix**) administration must be brought to the detention barn one hour prior to the three-hour or four-hour administration requirement specified above. After treatment, the horse shall be required by the commission to remain in the detention barn in the care, custody and control of its trainer or the trainer's designated representative under association or commission security supervision until called to the saddling paddock.

**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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**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.



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Ruling #: 2016-RUI-179  
Track: Ruidoso Downs  
Ruling Date: 8/27/2016

Licensee: VALERIANO, JR JOEL MORALES  
License Type: 2014 3 Year Trainer      Applicant Id: 31964  
Date of Birth: 06/26/1989              License Number: 194702

Ruling #                      2016-RUI-179

Action Type:              Initial Ruling

Ruling:

**Trainer Joel Valeriano Jr** having been duly notified and appeared before the Board of Stewards on **August 27, 2016**, for failure to declare equipment (**Blinkers On**) at time of entry for **Hover Board**, entered in **the sixth race**, on **August 8, 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 27, 2016** 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. 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