



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-RUI-66
Track: Ruidoso Downs
Ruling Date: 7/15/2018

Licensee: ORTIZ, JOSE ENRIQUE
License Type: 2016 3 Year Jockey Applicant Id: 35364
License Number: 281100

Ruling # 2018-RUI-66
Action Type: Initial Ruling
Ruling:

Jockey Jose Enrique Ortiz was summoned by the **Board of Stewards** and failed to appear or send a jockey guild's representative **on July 15, 2018, at Ruidoso Racetrack.** For his actions, **Jose Enrique Ortiz** is hereby assessed a fine in the amount **one hundred dollars (\$100.00).** This fine is to be paid on or before **August 15, 2018,** in accordance with **15.2.3.8(B)(3)(I).** Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found in violation of and this ruling is written in accordance with:

15.2.1.9(B)(4)(d) Nonappearance Of A Summoned Party 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.
15.2.1.9(B)(4)(A) Notice Of Hearing- Jockey Except as provided by these rules regarding summary suspension, jockey riding infractions and trial races, the stewards or a racing commission designee shall provide written notice, at least 10 days before the hearing, to a person who is the subject of a disciplinary hearing. The person may waive their right to 10 days notice by executing a written waiver.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/ 15.2.3.8 B (1) (a)(c)(d)Stewards General Authority /16.47.1.8 (T) KNOWLEDGE OF RULES/16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required/ 16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures 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

Debbie Smith *Jim Ortiz* *Kenner*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-RUI-67
Track Ruidoso Downs
Ruling Date: 7/15/2018

Licensee: ORTIZ, JOSE ENRIQUE

License Type: 2016 3 Year Jockey Applicant Id: 35364
License Number: 281100

Ruling # 2018-RUI-67

Action Type: Initial Ruling

Ruling:

Jockey, **Jose Enrique Ortiz**, was summoned, failed to appear, and had **his** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, before the Board of Stewards, on **July 15, 2018**. The hearing was in regard to **Jose Enrique Ortiz** failing to report to the jocks room at the designated time (1 hour prior to post), which resulted in a late change of rider for entry **"EL CARA BLANCA"** in the **2nd race on July 13, 2018, at Ruidoso Downs**.

The Board of Stewards hereby fines **Jose Enrique Ortiz** in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **August 15, 2018**, 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 and this ruling is written in accordance with:

15.2.5.13(C)(1) 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.

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys, 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority ,16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures 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 #: 2018-RUI-68
Track: Ruidoso Downs
Ruling Date: 7/16/2018

Licensee: GONZALEZ, JUAN C

License Type: 2017 3 Year Trainer Applicant Id: 31495
License Number: 285006

Ruling # 2018-RUI-68

Action Type: Initial Ruling

Ruling:

Trainer, Juan Carlos Gonzalez, was duly notified, failed to appear, and had **his** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)non-appearance**, before the Board of Stewards on **July 16, 2018**. The hearing was in regard to **Juan Carlos Gonzalez** failing to declare equipment (**Flipping Halter ON**) at time of entry for **"DUST YOU"**, entered in **the 4th race on June 22, 2018, at Ruidoso Downs**.

The Board of Stewards hereby fines **Juan Carlos Gonzalez** in the amount of **two hundred dollars (\$ 200.00)**. The fine is to be paid on or before **August 16, 2018**, 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 and this ruling is written in accordance with:

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

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

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

15.2.6.11(E)(11)Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment and shoes.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal

By Order of The Ruidoso Downs Stewards

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-RUI-69
Track Ruidoso Downs
Ruling Date: 7/16/2018

Licensee: ORONA, SR MARTIN RODRIGUEZ
License Type: 2016 3 Year Trainer Applicant Id: 19384
License Number: 284004

Ruling # 2018-RUI-69

Action Type: Initial Ruling

Ruling:

Trainer Martin Orona Sr. was duly notified, failed to appear, and had **his** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, before the Board of Stewards on **July 16, 2018**. The hearing was in regard to **Martin Orona Sr.** working groom, **Fernando Alvarez**, as a pony boy/exercise rider, **a capacity for which he was not licensed**, on **June 23, 2018, at Ruidoso Downs**.

The Board of Stewards hereby fines **Martin Orona Sr.** in the amount of **two hundred dollars (\$200)**. The fine is to be paid on or before **August 16, 2018**, 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: This ruling is written in accordance with:

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.*

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures 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 #: 2018-RUI-70
Track Ruidoso Downs
Ruling Date: 7/16/2018

Licensee: CARPENTER, BYRON SHANE
License Type: 2018 3 Year Owner Applicant Id: 161035
License Number: 290069

Ruling # 2018-RUI-70

Action Type: Initial Ruling

Ruling:

Owner, BYRON SHANE CARPENTER, was duly notified and appeared with attorney Travis Marston for a hearing before the Board of Stewards on **July 16, 2018**. The hearing was in regard to **BYRON SHANE CARPENTER** failing to disclose his complete criminal history on his licensing application.

The Board of Stewards hereby issues the immediate suspension of any/all New Mexico Racing Commission licenses belonging to **BYRON SHANE CARPENTER** (effective immediately **July 16, 2018**). Furthermore, **BYRON SHANE CARPENTER** must appear before the New Mexico Racing Commission for their further review prior to any further application.

During said time of applicable suspension **BYRON SHANE CARPENTER** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with 15.2.1.9 (C)(21). Additionally, effective upon applicable suspension dates, all horses owned by or under the care of BYRON SHANE CARPENTER are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c). All transfers and sales of horses owned by or in the care and custody of BYRON SHANE CARPENTER must done in accordance with 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.

Licensee is found to be in violation of and this ruling is written in accordance with:

16.47.1.8 (L)(1)(a) GROUNDS FOR DISCIPLINARY MEASURES. 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 has been convicted of a felony.

16.47.1.8 (L)(1)(d) GROUNDS FOR DISCIPLINARY MEASURES 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 has failed to disclose or falsely states any information required in the application;

15.2.3.8 (B)(3)(g) STEWARDS AUTHORITY 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.

15.2.3.8 (B)(3)(j) REFER TO THE COMMISSION The stewards may refer any matter to the commission and may include recommendations for disposition. The absence of a steward's referral shall not preclude commission action in any matter

16.47.1.8(L)(2) Written Notice Of Suspension Or Revocation To Licensee And Other Jurisdictions

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(c) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)

(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures 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 #: 2018-RUI-71
Track: Ruidoso Downs
Ruling Date: 7/16/2018

Licensee: PENA, OMAR ALERTO

License Type: 2018 1 Year Groom Applicant Id: 160982
License Number: 289895

Ruling # 2018-RUI-71

Action Type: Initial Ruling

Ruling:

Groom Omar Pena waived his rights to a 10-day notice of hearing before the Board of Stewards on **July 16, 2018**, for failing to disclose **his complete** criminal history on **his** licensing application.

The Board of Stewards hereby fine **Omar Pena** in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **August 16, 2018**, in accordance with 15.2.3.8 (B)(3)(1). Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of and this ruling is written in accordance with:

16.47.1.8 (L)(1)(d) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/
15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures 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 #: 2018-RUI-72
Track: Ruidoso Downs
Ruling Date: 7/16/2018

Licensee: MCCARTNEY, JACK A.

License Type: 2017 3 Year Trainer Applicant Id: 4984
License Number: 288383

Ruling # 2018-RUI-72

Action Type: Initial Ruling

Ruling:

Trainer, Jack McCartney, was duly notified, failed to appear, and had **his** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)non-appearance**, before the Board of Stewards on **July 16, 2018**. The hearing was in regard to **Jack McCartney** failing to declare equipment (**Flipping Halter ON**) at time of entry for **“JESS EXCESSIVE”**, entered in **the 1st race on June 23, 2018, at Ruidoso Downs**.

The Board of Stewards hereby fines **Jack McCartney** in the amount of **two hundred dollars (\$ 200.00)**. The fine is to paid on or before **August 16, 2018**, 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 and this ruling is written in accordance with:

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

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

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

15.2.6.11(E)(11)Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment and shoes.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/
15.2.1.9(B)(9)(a)Failure to Appeal

By Order of The Ruidoso Downs Stewards

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