



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-RUI-122**
Track: Ruidoso Downs
Ruling Date: 8/19/2018

Licensee: ENRIQUEZ, JOSE LUIS
License Type: 2017 3 Year Jockey Applicant Id: 86484
License Number: 286567

Ruling # 2018-RUI-122
Action Type: Final Outcome
Ruling:

RE: 2018-RUI-122 - Ruling Final Outcome

Jockey JOSE LUIS ENRIQUEZ, (currently under summary suspension) 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 **September 29, 2018**. The hearing was in regard to **JOSE LUIS ENRIQUEZ** being in possession of an electrical device during a **random vehicle search by investigator Johnson on August 18, 2018, at Ruidoso Downs**.

The Board of Stewards hereby issues **JOSE LUIS ENRIQUEZ** the following penalty:

1. A 5 year suspension of any/all New Mexico Racing Commission licenses, retroactive from the date of the summary suspension, **August 19, 2018, through August 17, 2023, inclusive**.
2. A **\$5,000 five thousand dollar** fine to paid on or before **October 29, 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.

During said time of applicable suspension **JOSE LUIS ENRIQUEZ** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC per **15.2.1.9 (C)(21) NMRC**.

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

15.2.5.13 (E)(6)(c) : Use of Riding Crop No electrical or mechanical device or other expedient designed to increase or retard the speed of a horse, other than the riding crop approved by the Stewards, shall be possessed by anyone, or applied by anyone to a horse at any time on the grounds of the Association during the meeting, whether in a race or otherwise.

16.47.1.8 (E) Consent to Search and Seizure By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents, and to the seizure of any prohibited medication, drugs, paraphernalia, or devices in accordance with State and Federal law.

16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license 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 adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited 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;

New Mexico State Statute 60-1A-28 B. HORSE RACING ACT

15.2.3.8(B)(1)(3)(f)(g)(j) Stewards

15.47.1.8(T) Knowledge of the Rules

15.2.1.9(B)(9)(b): Appeal Procedures 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.