



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2018-RUI-150  
Track Ruidoso Downs  
Ruling Date: 8/31/2018

Licensee: HUITRON, ERIKA JEANETTE  
License Type: 2018 3 Year Trainer Applicant Id: 161225  
License Number: 290808

Ruling # 2018-RUI-150  
Action Type: Case Continued  
Ruling:

RE: 2018-RUI-150 - Case Continued-Trainer, **ERIKA JEANETTE HUITRON**, was duly notified and responded telephonically for a summary suspension hearing before the Board of Stewards on **September 3, 2018**. The summary suspension hearing was in regard to the detection of the **Class 2 Penalty A drug, Modafinil Acid, found test sample #E282887 taken from the winner, "Livingston Icon", (trained by ERIKA JEANETTE HUITRON) in the 5th race on August 18, 2018, at Ruidoso Downs.**

The Board of Stewards hereby continue the summary suspension of all NMRC licenses belonging to **ERIKA JEANETTE HUITRON**, pending the outcome of **her** disciplinary hearing.

In accordance with **15.2.1.9 (C)(21), ERIKA JEANETTE HUITRON** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses **owned, trained, or under the care of ERIKA JEANETTE HUITRON** 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 **trained by, owned by, or in the care and custody of ERIKA JEANETTE HUITRON** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.**

**Licensee is found in violation of and this ruling is written in accordance with:** 15.2.1.9(B)(3)(a) Proceedings Before The Stewards: Summary Suspension If the Stewards determine that a licensee's action constitute an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing. 16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules. 16.47.1.8(U)(2) Protection of horses No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care. 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.

15.2.1.9(B)(3)(b) Proceedings Before The Stewards: Summary Suspension A licensee whose license has been summarily suspended is entitled to a hearing on the summary suspension not later than the 10th day after the license was summarily suspended. The licensee may waive their right to a hearing on the summary suspension within the 10-day limit

16.47.1.10 (B)(1)(2) ABSOLUTE INSURERB. 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. 16.2.6.9(C)(1) Medication restrictions: A finding by the commission approved laboratory of a prohibited substance in an official sample of a horse is prima facie evidence that the prohibited 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. 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

*Desert Amir*

*John Carter*

*Kenner Swa*