



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: Final Outcome
Ruling:

RE: 2018-RUI-150 - Ruling Final Outcome

Trainer **Erika Huitron (currently summarily suspended)** was **duly notified and responded telephonically for a hearing** before the Board of Stewards **on October 13, 2018**. The hearing was in regard to a certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** for a confirmed positive for the prohibited, **Class 2 Penalty A (reference Uniform classification guideline page 16) drug "Modafinil Acid"** found in **Test Sample #: E282887 taken from the first place finisher, "LIVINGSTON ICON", in the 5th race on August 18, 2018, at Ruidoso Downs Racetrack**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Erika Huitron**.

Mayra A. Sanchez and Yoni Parede-Flores, the owners of record for horse "**LIVINGSTON ICON**", was duly notified and failed to appear for this hearing. In accordance with **15.2.6.9 (B)(1) Penalty Recommendations**, this is **their FIRST Class 2 Penalty A medication violation in a lifetime**.

For **Erika Huitron FIRST Class 2 Penalty A medication violation in a lifetime** issued in accordance with **15.2.6.9 (B)(1) Penalty Recommendations**, the Board of Stewards assessed a penalty as follows:

- 1. A 2 year suspension of all NMRC licenses retroactive from the summary suspension, August 31, 2018 through August 29, 2020, inclusive.**
- 2. A (\$15,000) fifteen thousand dollar fine to paid on or before November 13, 2018** in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine in the prescribed time shall result in an immediate suspension.
- 3. Per 15.2.3.8 (B)(3)(j)**, the Board of Stewards hereby refer **Erika Huitron** to the New Mexico Racing Commission for further action, if deemed necessary.

During said time of applicable suspension **Erika Huitron** 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, trained, or under the care and custody** of **Erika 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, owned, or in the care and custody** of **Erika 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: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(8)(a)(9)Medication Restrictions/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses/ 16.47.1.10(B)(1-3)Absolute Inalter/ 15.2.6.9(B)Penalty Recommendations 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.