



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-20
Track SunRay Park
Ruling Date: 5/6/2016

Licensee: MUNOZ, JR GUADALUPE
License Type: 2014 3 Year Trainer Applicant Id: 21993
Date of Birth: 11/28/1981 License Number: 112193

Ruling # 2016-SRP-20

Action Type: Initial Ruling

Ruling:

Trainer Guadalupe Munoz Jr., having telephonically appeared before the Board of Stewards on May 2, 2016, regarding a late scratch of the horse "Jess Bankin" that was entered in the first race, Sunday, May 1, 2016, at SunRay Park;

(The horse "Jess Bankin" was not present on Association grounds in a timely manner, which necessitated in a late scratch.

Guadalupe Munoz Jr. is found to be in violation of:

15.2.5.12(AI) NMAC: Which states in pertinent part "A horse shall be ineligible to start in a race when it is not stabled on the grounds of the Association, or present by the time established".

For this rule violation, the Board of Stewards assessed Guadalupe Munoz Jr. a penalty in the amount of two-hundred dollars (\$ 200.00). The fine is to be paid on or before June 1, 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.

15.2.1.9(b):

Which states 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 SunRay Park Stewards

Steward

Steward

Steward



New Mexico Racing Commission
4500 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-21
Track SunRay Park
Ruling Date: 5/7/2016

Licensee: CHAVEZ, ALEJANDRO

License Type: 2015 3 Year Trainer Applicant Id: 31113
Date of Birth: 06/19/1968 License Number: 279701

Ruling # 2016-SRP-21

Action Type: Initial Ruling

Ruling:

Trainer Alejandro Chavez, having telephonically appeared, and waived his right to a hearing before the Board of Stewards on this date for failure to provide equipment: (flipping halter) , on the horse "Passemupjesse" that ran in the 4th race, Friday, May 6, 2016, at SunRay Park

Alejandro Chavez is found to be in violation of:

15.2.5.8(B)(10) NMAC: Which states in pertinent part "Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the Stewards.

15.2.5.13(A)(7) NMAC: Which states in pertinent part "No licensee may change any equipment on a horse in its last race without approval of the Paddock Judge or Stewards".

16.47.1.10 (B)(17) NMAC: Which states in pertinent part "The Trainer is responsible for representing an Owner in making entries and scratches, and in all other matters pertaining to racing, horses entered as to eligibility, and weight or other allowances claimed".

For this violation at this meeting, the Board of Stewards assessed Alejandro Chavez a penalty of a fine in the amount of fifty dollars (\$50.00). The fine is to be paid on or before June 7, 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.

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.

By Order of The SunRay Park Stewards

Luis Salinas

Bob Robinson

E. Z. K.



New Mexico Racing Commission
4500 Alameda NE
Albuquerque, NM 87131

Ruling #: 2016-SRP-22
Track SunRay Park
Ruling Date: 5/7/2016

Licensee: GUTIERREZ, GERARDO

License Type: Trainer

Applicant Id: 28971

Date of Birth: 06/12/1988

License Number: 81809

Ruling # 2016-SRP-22

Action Type: Initial Ruling

Ruling:

Trainer Gerardo Gutierrez, having appeared telephonically before the Board of Stewards on May 7, 2016 waived his right to a hearing for entering the ineligible horse "Untangled Vines" which did not have a current coggins resulting in a program scratch in the 7TH race on April 29,2016 at SunRay Park Race Track.

For this rule violation, the Board of Stewards assessed Gerardo Gutierrez a penalty in the amount of Two hundred dollars (\$200.00). The fine is to be paid on or before June 7, 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:

16.47.1.10 C. (9) NMAC:

Which states in pertinent part that "A trainer is responsible for having each horse in his/her care that is racing, or is stabled on association grounds, tested for equine infectious anemia (EIA) and for filing evidence of such negative test results with the Racing Secretary as required by the Commission.

15.2.5.12 (2) NMAC:

Which states in pertinent part that "A horse shall be ineligible to start in a race when there is no current negative test certificate for equine infectious anemia attached to its breed registration certificate, as required by the Commission."

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."-C9

By Order of The SunRay Park Stewards

Steward

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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-23
Track SunRay Park
Ruling Date: 5/7/2016

Licensee: MUNOZ, JR GUADALUPE

License Type: 2014 3 Year Trainer Applicant Id: 21993
Date of Birth: 11/28/1981 License Number: 112193

Ruling # 2016-SRP-23

Action Type: Initial Ruling

Ruling:

Trainer Guadalupe Munoz Jr. having appeared, by telephone, before the Board of Stewards on May 7, 2016 and waiving his right to a hearing for not being in attendance to saddle his horses, "Camo Cartel & A Special Dynasty" in the 2Nd and 4th race, on May 1, 2016 at SunRay Park Race Track. Licensee is found to be in violation of Commission rules.

For this rule violation, the Board of Stewards assessed Guadalupe Munoz Jr. a penalty in the amount of fifty dollars (\$50.00). The fine is to be paid on or before June 7, 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 the following rules:

16.47.1.10 (C-23) NMAC: Which states in pertinent part "A Trainer is responsible for personally attending to his/her horses in the paddock and supervising the saddling thereof, unless excused by the Stewards".

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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 SunRay Park Stewards

Bob Allison

[Signature]

Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-24
Track SunRay Park
Ruling Date: 5/7/2016

Licensee: RIVERA, ALONSO

License Type: 2014 3 Year Jockey Applicant Id: 19096
Date of Birth: 07/31/1987 License Number: 206163

Ruling # 2016-SRP-24

Action Type: Initial Ruling

Ruling:

Jockey Alonso Rivera, having appeared before the Board of Stewards on this date, for failure to persevere on his mounts on Friday April 29, 2016 at SunRay Park:

**"Sweet Super Woman".... Third Race,
"Cache This Cheque"Fourth Race
"Roy L Flush".....Fifth Race**

Alonso Rivera is found to be in violation of:

15.2.5.13(E)(5) NMAC: Which states in pertinent part "A Jockey shall not ease up, or coast to the finish, without adequate cause, even if a horse has no apparent chance to win prize money".

For this violation, the Board of Stewards assessed Alonso Rivera a penalty of Three hundred dollars (\$300.00) \$100.00 for each horse. The fine is to be paid on or before June 6, 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.

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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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-25
Track SunRay Park
Ruling Date: 5/8/2016

Licensee: ARROYO, JR NORBERTO

License Type: Jockey Applicant Id: 45918
Date of Birth: 07/19/1976 License Number: 80749

Ruling # 2016-SRP-25

Action Type: Initial Ruling

Ruling:

Jockey Norberto Arroyo Jr, having appeared before the Board of Stewards on this date for careless riding, while aboard "Sun Catcher" in the fifth race Sunday April 24, 2016 at SunRay Park.

For this violation, the Board of Stewards assessed Norberto Arroyo Jr a penalty in the amount of two hundred dollars (\$200.00) and a warning to make better effort. The fine is to be paid on or before June 7, 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.

15.2.5.13(E)(3)(a) NMAC:

Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

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."

15.2.1.9(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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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-26
Track SunRay Park
Ruling Date: 5/8/2016

Licensee: PEREZ, MIGUEL ANGEL
License Type: 2015 3 Year Jockey Applicant Id: 31329
Date of Birth: 10/02/1970 License Number: 246749

Ruling # 2016-SRP-26

Action Type: Initial Ruling

Ruling:

Jockey Miguel A Perez, having appeared before the Board of Stewards on this date for careless riding, while aboard "Spring N Go" in the sixth race Monday April 25, 2016 at SunRay Park.

Miguel A Perez is found to be in violation of:

15.2.5.13 (E)(2)(a) NMAC: Which states in pertinent part "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)(a) NMAC: Which states in pertinent part "When the way is clear, a horse may be ridden to any part of the course. But if any horse swerves or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul".

For this violation, the Board of Stewards assessed Miguel A Perez a penalty in the amount of one hundred dollars (\$100.00) and a warning to make better effort. The fine is to be paid on or before June 7, 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.

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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Albuquerque, NM 87113

Ruling #: 2016-SRP-27
Track SunRay Park
Ruling Date: 5/8/2016

Licensee: VILLEGAS, BENJAMIN RIVERA
License Type: 2013 3 year Trainer Applicant Id: 24266
Date of Birth: 04/06/1952 License Number: 62495

Ruling # 2016-SRP-27

Action Type: Initial Ruling

Ruling:

Licensee having appeared before the Board of Stewards telephonically on April 24, 2016 for employing a person in a capacity for which he/she was not licensed.

narrative: The Groom for Benjamin Villegas appeared in the test barn with no license.

Licensee was found to be in violation of Commission rules. Thus, for this rule violation, the Board of Stewards assessed licensee a penalty in the amount of two hundred dollars (\$200). The fine is to be paid on or before June 8, 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:

16.47.1.10 (C) (4) providing 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; the list shall include each employee's name, occupation, social security number, and occupational license number; the chief of security shall be notified by the trainer, in writing, within 24 hours of any change;

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-28
Track SunRay Park
Ruling Date: 5/8/2016

Licensee: GUTIERREZ, GERARDO

License Type: Applicant Id: 28971
Date of Birth: 06/12/1988 License Number:

Ruling # 2016-SRP-28

Action Type: Initial Ruling

Ruling:

Trainer Gerardo Gutierrez, having telephonically appeared before the Board of Stewards, regarding a late scratch of the horse "Officer Moonflash" that was entered in the fourth race, Friday May 6, 2016 at SunRay Park.

(The horse "Officer Moonflash" was not present on Association grounds in a timely manner, and subsequently was reported by the State Veterinarian that the horse did not receive required Salix/Lasix administration, which resulted in a late scratch of said horse).

Gerardo Gutierrez is found to be in violation of:

15.2.5.12(AI) NMAC: Which states in pertinent part "A horse shall be ineligible to start in a race when it is not stabled on the grounds of the Association, or present by the time established".

15.2.6.9(F)(3) NMAC: Which states in pertinent part "Furosemide shall be administered no less than three hours to post time for a quarter horse race for which the horse is entered".

16.47.1.10(C)(17) NMAC: Which states in pertinent part that "A Trainer is responsible for representing an Owner in making entries and scratches, and in all other matters pertaining to racing, horses entered as to eligibility and weight or other allowances claimed".

For this rule violation, the Board of Stewards assessed Gerardo Gutierrez a penalty in the amount of two-hundred dollars (\$ 200.00). The fine is to be paid on or before June 7, 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.

15.2.1.9(b):

Which states 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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-29
Track SunRay Park
Ruling Date: 5/8/2016

Licensee: VILLEGAS, BENJAMIN RIVERA
License Type: 2013 3 year Trainer Applicant Id: 24266
Date of Birth: 04/06/1952 License Number: 62495

Ruling # 2016-SRP-29

Action Type: Initial Ruling

Ruling:

Trainer Benjamin Villegas having appeared, by telephone, before the Board of Stewards on April 24, 2016 and waiving his right to a hearing for not being in attendance to saddle his horses, "Ebz Queen" in the 3RD race, on April 22, 2016 at SunRay Park Race Track. Licensee is found to be in violation of Commission rules.

For this rule violation, the Board of Stewards assessed Benjamin Villegas a penalty in the amount of fifty dollars (\$50.00). The fine is to be paid on or before June 8, 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 the following rules:

16.47.1.10 (C-23) NMAC: Which states in pertinent part "A Trainer is responsible for personally attending to his/her horses in the paddock and supervising the saddling thereof, unless excused by the Stewards"

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-30
Track SunRay Park
Ruling Date: 5/9/2016

Licensee: HOPPER, CARROLL RAY

License Type: Trainer Applicant Id: 19869
Date of Birth: 07/28/1938 License Number: 81857

Ruling # 2016-SRP-30

Action Type: Initial Ruling

Ruling:

RE: 2015-ZIA-358 - Modified Penalty

Trainer/Trainer Carroll R. Hopper, having been duly notified, and appeared before the Board of Stewards on May 8, 2016, regarding a confirmed positive test for the Class III drug "Clenbuterol", which was found in sample NM11159, after it was collected from the horse "Jess A Whistlin" which finished first in the 2nd race, January 28, 2015 at Sunland Park Racetrack;

(The original lab report indicated a finding of Clenbuterol in the urine at 326 pg/ml. and the finding of Dexamethasone in excess of 5pg/ml. Split sample rights, as provided in 15.2.6.10(D) NMAC were availed to Mr. Hopper and confirmed).

Mr. Hopper is found to be in violation of: 15.2.6.9(D)(1-2-3) NMAC: Which states in pertinent part that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other 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 (b) therapeutic medications in excess of established acceptable levels".

15.2.6.9 (P) NMAC: Which states in pertinent part "Clenbuterol in a post race test that exceeds the screening limit of 140 pg/ml in urine will constitute a violation of NMSRC rules".

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: Which states in pertinent part that "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 horse. 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 the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

15.2.6.9 (C) NMAC: Which states in pertinent part "Category B penalties will be assessed a licensed Owner for violations due to the presence of a drug carrying a Category B penalty: First offense within a 365 day period in any jurisdiction shall be disqualification, loss of purse, and the horse must pass a Commission-approved examination before becoming eligible to be entered".

For these violations, the Board of Stewards assessed Carroll R. Hopper a penalty

1. A fine in the amount of one thousand dollar (\$1,500.00) to be paid on or before June 8,2016.

2. A suspension of any/all NMSRC issued licenses for a period of 60 calendar days, with the suspension hereby waived by the Commission per Section 3, provided Carroll R. Hopper is compliant with the full terms of the Stipulated Settlement Agreement, (Case #2015-82-44)

3) Disqualification and loss of purse of the 2nd Race, Jan 28, 2015, at Sunland Park Race Track.

4) Because of the disqualification "Jess A Whistlin" will also be disqualified. The new order of finish is as follows

- | | |
|----------------------------|-----------------------|
| • 1st Flashy Beamer | 6th Gender From Sixes |
| • 2nd Mj Moon Chick | 7th So Call Me Maybe |
| • 3rd Perrys Boots | 8th Bet the Sixes |
| • 4th Mendosa | 9th Brookstones Heart |
| • 5th Dream Big Woody | |
| • Unplaced JESS A WHISTLIN | |

5) A probation period of 180 days starting May 9, 2016 through and ending Nov 5, 2016.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-30
Track SunRay Park
Ruling Date: 5/9/2016

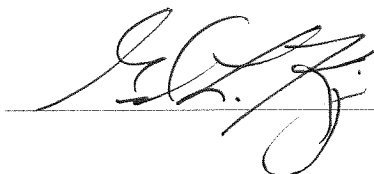
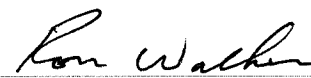

Licensee: HOPPER, CARROLL RAY

License Type: Trainer Applicant Id: 19869

Date of Birth: 07/28/1938 License Number: 81857

(Per the terms of a signed Stipulated Settlement Agreement, this is considered a first offense positive test violation in the past 365 day period, and is issued in accordance with 15.2.6.9 (C)(2) NMAC. Any subsequent Class B violation within a 180 day period following this date will result in further penalty, as specified in Section 6. Per the written terms of the signed Stipulated Settlement Agreement as specified in section 2, Carroll R. Hopper furthermore knowingly, intentionally, and voluntarily waives any/all appeal rights, including any judicial appeal regarding this matter).

By Order of The SunRay Park Stewards


Steward
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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-31
Track SunRay Park
Ruling Date: 5/9/2016

Licensee: KORTE, LEO JAY

License Type: 2016 1 Year Duplicate Applicant Id: 25412
Date of Birth: 04/15/1949 License Number: 281491

Ruling # 2016-SRP-31

Action Type: Initial Ruling

Ruling:

Trainer Leo J. Korte, having appeared telephonically before the Board of Stewards on May 7, 2016 for entering the horse "Sukis Suuper Chic" in the wrong race which resulted in a program scratch in the race 7TH race on May 6, 2016.

For this rule violation, the Board of Stewards assessed Leo J.Korte a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before December 09, 2014 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 16.47.10 (C) (18) which states that a Trainer is responsible horses as to eligibility and weight or other allowances claimed.

15.2.5.9(B)(2) NMAC: Which states in pertinent part that "The scratch of a horse after closing shall be made by the Owner, Trainer or their licensed designee, with permission from the stewards".

15.2.5.9 (B) (4) NMAC: Which states in pertinent part that "No horse may be scratched from an overnight race without approval of the Stewards.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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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Albuquerque, NM 87113

Ruling #: 2016-SRP-32
Track SunRay Park
Ruling Date: 5/9/2016

Licensee: REYNOLDS, CODY

License Type: 2013 3 Year Trainer Applicant Id: 34144

Date of Birth: 07/23/1981 License Number: 42698

Ruling # 2016-SRP-32

Action Type: Initial Ruling

Ruling:

Trainer Cody Reynolds having appeared before the Board of Stewards on May 9, 2016, and waived the 10 day notice for failure to have a registration certificate on file necessitating a late scratch for the horse "Furiousprincess" that was entered to run in the 7TH race, on May 6, 2016 at SunRayPark .

Cody Reynolds is found to be in violation of:

15.2.5.9(B)(2) NMAC: Which states in pertinent part that "The scratch of a horse after closing shall be made by the Owner, Trainer or their licensed designee, with permission from the stewards".

15.2.5.9 (B) (4) NMAC: Which states in pertinent part that "No horse may be scratched from an overnight race without approval of the Stewards.

16.47.1.10(C)(7) NMAC:

Which states in pertinent part that "A Trainer is responsible for registering with the racing secretary each horse in his/her charge within 24 hours of the horse's arrival on association grounds."

15.2.5.12(B) NMAC:

Which states in pertinent part "A horse shall be ineligible to start in a race when its breed registration certificate is not on file with the racing secretary."

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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-33
Track SunRay Park
Ruling Date: 5/13/2016

Licensee: ORTIZ, JOSE ENRIQUE

License Type: Applicant Id: 35364

Date of Birth: 03/02/1996 License Number:

Ruling # 2016-SRP-33

Action Type: Initial Ruling

Ruling:

This ruling was done in error and has been completed as ruling #34

By Order of The SunRay Park Stewards

Linda Salinas *[Signature]* *Ron Walter*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-34
Track SunRay Park
Ruling Date: 5/13/2016

Licensee: ORTIZ, JOSE ENRIQUE

License Type: 2016 3 Year Jockey Applicant Id: 35364
Date of Birth: 03/02/1996 License Number: 281100

Ruling # 2016-SRP-34

Action Type: Initial Ruling

Ruling:

Jockey Jose Enrique Ortiz having failed to appear when summoned by the Board of Stewards for race/film review regarding the first race on April 23, 2016 at Sunray Park is found in violation of Commission rules.

Narrative: Jose Ortiz failed to view the films on April 24, 2016 as requested.

For this rule violation, the Board of Stewards assessed Jose Enrique Ortiz a penalty of fifty dollars (\$50.00). The fine is to be paid on or before May 23, 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:

15.2.1.9(B)(4)(d)NMAC: 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

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-35
Track SunRay Park
Ruling Date: 5/14/2016

Licensee: ESCALANTE, HECTOR CHRISTOPHER
License Type: Jockey Applicant Id: 31246
Date of Birth: 01/14/1990 License Number: 152957

Ruling # 2016-SRP-35

Action Type: Initial Ruling

Ruling:

Jockey Hector Escalante having appeared before the Board of Stewards on May 14, 2016 for failure to honor or be excused from his riding engagement in the 7th race April 23, 2016 at SunRay for the horse "Avellino"

Hector Escalante failed to notify stewards he would not be present to ride.

For this rule violation, the Board of Stewards assessed Hector Escalante a penalty in the amount of one hundred dollars (\$100.00). The fine is to be paid on or before June 13, 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:

**15.2.5.13 RUNNING OF THE RACE:
C. JOCKEY REQUIREMENTS**

(1) Jockeys shall report to the jockeys' 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.

(3) Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the stewards. Failure to fulfill riding engagements may result in disciplinary action.

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 SunRay Park Stewards

Bob Allison

Ron Walker

Ando Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-36
Track SunRay Park
Ruling Date: 5/15/2016

Licensee: VAUGHN, LONNIE H
License Type: 2015 3 Year Trainer Applicant Id: 5496
Date of Birth: 12/19/1947 License Number: 277633

Ruling # 2016-SRP-36

Action Type: Initial Ruling

Ruling:

Trainer Lonnie Vaughn having appeared by telephone before the Board of Stewards on May 15, 2016 for bringing his horse "Silver Moon Shadow" late to the paddock for the 1st race, on May 2 2016. Licensee is found to be violation of Commission rules.

For this rule violation, the Board of Stewards assessed Lonnie Vaughn a penalty in the amount of One Hundred dollars (\$100.00). The fine is to be paid on or before June 15, 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 the following rules:

16.47.1.10(C)(22) NMAC: Which states in pertinent part that "The Trainer is responsible for presenting his/her horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered."

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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 SunRay Park Stewards

Linda Salinas Bob. Allison Ron Walker



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-37
Track SunRay Park
Ruling Date: 5/15/2016

Licensee: ROBLEDO, SAMUEL

License Type: 2013 3 year Trainer Applicant Id: 31708

Date of Birth: 10/05/1980 License Number: 68336

Ruling # 2016-SRP-37

Action Type: Initial Ruling

Ruling:

Trainer Samuel Robledo having appeared before the Board of Stewards on May 15, 2016 for bringing his horse "Crimson Music" late to the paddock for the 1st race, on May 2 2016. Licensee is found to be violation of Commission rules.

For this rule violation, the Board of Stewards assessed Samuel Robledo a penalty in the amount of One Hundred dollars (\$100.00). The fine is to be paid on or before June 15, 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 the following rules:

16.47.1.10(C)(22) NMAC: Which states in pertinent part that "The Trainer is responsible for presenting his/her horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered."

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-38
Track SunRay Park
Ruling Date: 5/15/2016

Licensee: EIKLEBERRY, RY PATRICK
License Type: Applicant Id: 30493
Date of Birth: 01/11/1989 License Number:

Ruling # 2016-SRP-38

Action Type: Initial Ruling

Ruling:

Jockey Ry Eikleberry having appeared before the Board of Stewards on May 15, 2016 for standing up before crossing the finish line, while aboard "Somethin Hot" in the 8TH race, May 14, 2016, at SunRay Park Race Track, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed a fine of (\$100.00) one hundred dollars.

The fine is to be paid on or before June 15, 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

This ruling is in accordance with:

**15.2.5.13 RUNNING OF THE RACE:
C. JOCKEY REQUIREMENTS**

E. POST TO FINISH

(5) Horses shall be ridden out: All horses shall be ridden out in every race. A jockey shall not ease up or coast to the finish, without adequate cause, even if the horse has no apparent chance to win prize money.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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 SunRay Park Stewards

Bob. Allison

Ron Walker

Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-39
Track SunRay Park
Ruling Date: 5/16/2016

Licensee: COATES, JIMMY RAY

License Type: Jockey Applicant Id: 12424
Date of Birth: 12/14/1970 License Number: 163918

Ruling # 2016-SRP-39

Action Type: Initial Ruling

Ruling:

Jockey Jimmy Ray Coates having failed to appear before the Board of Stewards on May 9, 2016, for standing up before crossing the finish line, while aboard "Mycroft" in the 5TH race, May 8, 2016, at SunRay Park Race Track, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed a fine of (\$100.00) one hundred dollars.

The fine is to be paid on or before June 16, 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

This ruling is in accordance with:

**15.2.5.13 RUNNING OF THE RACE:
C. JOCKEY REQUIREMENTS**

E. POST TO FINISH

(5) Horses shall be ridden out: All horses shall be ridden out in every race. A jockey shall not ease up or coast to the finish, without adequate cause, even if the horse has no apparent chance to win prize money.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

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 SunRay Park Stewards

Bob Allison

Ron Walker

[Signature]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-40
Track SunRay Park
Ruling Date: 5/16/2016

Licensee: COATES, JIMMY RAY

License Type: Jockey Applicant Id: 12424
Date of Birth: 12/14/1970 License Number: 163918

Ruling # 2016-SRP-40

Action Type: Initial Ruling

Ruling:

Jockey Jimmy Ray Coates having failed to appear before the Board of Stewards on May 9, 2016, for standing up before crossing the finish line, while aboard "Mycroft" in the 5TH race, May 8, 2016, at SunRay Park Race Track, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed a fine of (\$50.00) Fifty dollars.

The fine is to be paid on or before June 16, 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

This ruling is in accordance with:

15.2.1.9(B)(4)(d)NMAC: 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

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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 SunRay Park Stewards

Bob Allison

Ron Walker

[Signature]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-41
Track SunRay Park
Ruling Date: 5/16/2016

Licensee: GUERRA, JR JIMMY WRIGHT

License Type: 2015 3 Year Trainer Applicant Id: 157998
Date of Birth: 05/06/1962 License Number: 279229

Ruling # 2016-SRP-41

Action Type: Initial Ruling

Ruling:

Trainer Jimmy W. Guerra Jr. having appeared telephonically before the Board of Stewards on May 16, 2016, and waived the notice of hearing for failure to have proper gate approval necessitating a late scratch for the horse "Kinda Hi" that was entered to run in the 1ST race, on May 7, 2016 at SunRayPark.

Jimmy Guerra Jr. is found to be in violation of:

15.2.5.11 WORKOUTS:

A. REQUIREMENTS

(1) A non-starter must have had within sixty (60) days of entry one (1) approved official schooling race or at least two (2) workouts recorded at a pari mutuel or commission recognized facility and posted with the racing secretary prior to time of race, one (1) of the two (2) workouts shall be from the starting gate, and be gate approved. It shall be the trainer's responsibility to establish validity as to workouts and gate approvals

15.2.5.12 HORSES INELIGIBLE: A horse shall be ineligible to start in a race when:

L. it lacks sufficient official published workouts or race past performance(s);

15.2.5.9 DECLARATIONS AND SCRATCHES: Declarations and scratches are irrevocable except with permission of the stewards

B. SCRATCHES

15.2.5.9(B)(2) NMAC: Which states in pertinent part that "The scratch of a horse after closing shall be made by the Owner, Trainer or their licensed designee, with permission from the stewards".

15.2.5.9 (B) (4) NMAC: Which states in pertinent part that "No horse may be scratched from an overnight race without approval of the Stewards.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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."



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-42
Track SunRay Park
Ruling Date: 5/20/2016

Licensee: ESTRADA,SR SALVADOR Z
License Type: 2016 3 Year Trainer Applicant Id: 12209
Date of Birth: 09/22/1940 License Number: 281449

Ruling # 2016-SRP-42

Action Type: Initial Ruling

Ruling:

Trainer Salvador Estrada Sr , having telephonically appeared, before the Board of Stewards on this date for failure to declare equipment: (Blinkers On), on the horse "Mark of Good Reason " that ran in the 2nd race, Sunday, May 15, 2016, at SunRay Park

Salvador Estrada Sr. is found to be in violation of:

15.2.5.8(B)(10) NMAC: Which states in pertinent part "Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the Stewards.

15.2.5.13(A)(7) NMAC: Which states in pertinent part "No licensee may change any equipment on a horse in its last race without approval of the Paddock Judge or Stewards".

16.47.1.10 (B)(17) NMAC: Which states in pertinent part "The Trainer is responsible for representing an Owner in making entries and scratches, and in all other matters pertaining to racing, horses entered as to eligibility, and weight or other allowances claimed".

For this violation, the Board of Stewards assessed Salvador Estrada Sr. a penalty of a fine in the amount of fifty dollars (\$50.00). The fine is to be paid on or before June 14, 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.

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.

By Order of The SunRay Park Stewards

Bob. Allison

Linda Salinas

Don Walker



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-43
Track SunRay Park
Ruling Date: 5/20/2016

Licensee: RIVERA, DOMINIC ANDRES
License Type: 2015 1 Year Jockey Ag Applicant Id: 29622
Date of Birth: 02/13/1976 License Number: 279409

Ruling # 2016-SRP-43

Action Type: Initial Ruling

Ruling:

Jockey Agent Dominic Rivera , having been duly notified, appeared before the Board of Stewards on Saturday, May 14, 2016, for misconduct toward an official on May 9, 2016, at SunRay Park Racetrack.

For this rule violation the Board of Stewards assessed Dominic Rivera a fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before June 19, 2016, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay the fine within the time prescribed may result in immediate suspension.

Dominic Rivera is found to be in violation of:

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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 SunRay Park Stewards

Steward
Steward
Steward



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-44
Track SunRay Park
Ruling Date: 5/20/2016

Licensee: NEZ, THEODORE JESSE

License Type: 2016 VALET Applicant Id: 158529
Date of Birth: 10/27/1986 License Number: 281171

Ruling # 2016-SRP-44

Action Type: Initial Ruling

Ruling:

Licensee having appeared before the Board of Stewards on May 16TH for the charge of license falsification or omission. Licensee is found to be in violation of Commission rules.

Narrative: Failure to disclose previous arrest and conviction records on NMSRC license application.

For this rule violation, the Board of Stewards assessed a penalty in the amount of One hundred dollars (\$100.00). The fine is to be paid on or before June 20, 2016 in accordance with 15.2.3.8(B)(3)(I) NMAC. Licensee is placed on probation pending results of court hearing.

Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of the following rule (s):

16.47.1.8 GENERAL PROVISIONS

L. GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF LICENSE

(1) (d) has failed to disclose or falsely states any information required in the application

15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS

B. Stewards.

(1) **General authority.** The stewards for each meeting shall be responsible to the commission for the conduct of the race meeting in accordance with the laws of this state and these rules.

(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.

(3) **Disciplinary action.** The stewards shall take notice of alleged misconduct or rule violations and initiate investigations into the matters.

(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.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-45
Track SunRay Park
Ruling Date: 5/20/2016

Licensee: ESTRADA,SR SALVADOR Z
License Type: 2013 3 year Trainer Applicant Id: 12209
Date of Birth: 09/22/1940 License Number: 49727

Ruling # 2016-SRP-45

Action Type: Initial Ruling

Ruling:

Licensee having appeared before the Board of Stewards telephonically on May 20, 2016, for failure to declare equipment Specify: (Blinkers on) at time of entry on the horse "Mark of Good Reason", entered in the 2ND race, on May 15, 2016, at SunRay Park Race track. Licensee is found to be in violation of Commission rules.

15.2.5.8 (B)(9) NMAC: Which states in pertinent part that " Any approved change of equipment must be declared at time of entry."Any changes after that time must be approved by the Stewards.

For this rule violation, the Board of Stewards assessed a penalty in the amount of Fifty dollars (\$50.00). The fine is to paid on or before May 24 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.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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 SunRay Park Stewards

Linda Salinas Bob. Allison

Pat Walsh



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-46
Track SunRay Park
Ruling Date: 5/21/2016

Licensee: GAYTAN, CAROLINA

License Type: 2016 3 Year Trainer Applicant Id: 8495
Date of Birth: 08/19/1977 License Number: 281077

Ruling # 2016-SRP-46

Action Type: Initial Ruling

Ruling:

SUMMARY SUSPEND TRAINER "CAROLINA GAYTAN" FOR THE POSSESSION OF A HYPODERMIC SYRINGE OR HYPODERMIC NEEDLE ON MAY 20, 2016 IN BARN "B" STALL 35 WITH THE HORSE "VALIANT MELTDOWN" AT SUNRAY PARK (A LOCATION UNDER THE JURISDICTION OF THE NEW MEXICO RACING COMMISSION). "VALIANT MELTDOWN" WAS SCHEDULED TO RUN THIS DATE IN RACE 8, POST POSITION 3. "VALIANT MELTDOWN" WAS A LATE SCRATCH AND SENT TO THE TEST BARN FOR A SPECIAL BLOOD SAMPLE FOR FURTHER ANALYSIS.

This conduct, action, or omission has resulted in charges or allegations against you that you have violated the following Statutes or Rules:

HMAC 15.2.6.8

A. TREATMENT RESTRICTIONS:

- (1) Except as otherwise provided by this subsection, no person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the commission may administer a prescription or controlled medication, drug, chemical or other substance (including any medication, drug, chemical or other substance by injection) to a horse at any location under the jurisdiction of the commission.
- (2) No person shall possess on any location under the jurisdiction of the commission any of the following unless approved by the commission.
 - (a) any drug which is a narcotic, stimulant, or depressant, or any other substance or medication that has been prepared or packaged for injection by a hypodermic syringe, or hypodermic needle;
 - (b) any hypodermic syringe, hypodermic needle or any equipment associated with the aid of intravenous administration.

15.2.1.1 DUE PROCESS AND DISCIPLINARY ACTION:

A. PURPOSE OF CHAPTER: This chapter contains the rules of procedure for stewards' hearings and commission proceedings.

B. PROCEEDINGS BEFORE THE STEWARDS:

- (1) Rights of the licensee. A person who is the subject of the disciplinary hearing conducted by the stewards is entitled to: proper notice of all charges; confront the evidence presented including: the right to counsel at the person's expense; the right to examine all evidence to be presented against them; the right to present a defense; the right to call witnesses; the right to cross examine witnesses; and waive any of the above rights.
- (2) Summary suspension.
 - (a) If the stewards determine that a licensee's actions constitute an immediate danger to the public health, safety, or welfare, the stewards may summarily suspend the license pending a hearing.
 - (b) A licensee whose license has been summarily suspended is entitled to a hearing on the summary suspension not later than the third day after the license was summarily suspended. The licensee may waive their right to a hearing on the summary suspension within the three-day limit.

During said time of applicable suspension, Trainer Carolina Gaytan is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with 15.2.1.9 (C)(21)(a-b) NMAC, and 15.2.3.8 (B)(3)(f) NMAC.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-46
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Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Trainer Carolina Gaytan are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

A hearing is scheduled for Monday May 23, 2016 10:30 AM

You are advised that at this hearing you may be accompanied or assisted by another person who may be an Attorney, but that the hearing will not be delayed by the reason of the unavailability of such a person.

You are advised to bring with you to this hearing any documentary or physical evidence on your possession or persons having relevant information about this matter.

By Order of The SunRay Park Stewards

Steward

Steward

Steward



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-47
Track SunRay Park
Ruling Date: 5/21/2016

Licensee: VELASQUEZ, SAMMY

License Type: 2013 3 year Trainer Applicant Id: 15172

Date of Birth: 05/12/1942 License Number: 53276

Ruling # 2016-SRP-47

Action Type: Initial Ruling

Ruling:

Licensee having appeared before the Board of Stewards Telephonically on this date May 21, 2016 for failure to declare equipment "Blinker on" at time of entry on the horse "Emmie B Who", entered in the 5th race, on May 16,2016, at SunRay Park Race Track. Licensee is found to be in violation of Commission rules.

For this rule violation, the Board of Stewards assessed a penalty in the amount of Fifty dollars (\$50.00). The fine is to paid on or before June 20, 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:

15.2.5.8 (B)(9) NMAC: Which states in pertinent part that " Any approved change of equipment must be declared at time of entry."Any changes after that time must be approved by the Stewards.

16.47.1.8(L)(1)(h) NMAC:

Which states that "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 reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meet. Interfering with the orderly conduct of the race meet shall include, but not limit 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):

Which states 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 SunRay Park Stewards

Linda Salinas *[Signature]* *Bob Allison*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-48
Track SunRay Park
Ruling Date: 5/22/2016

Licensee: GUTIERREZ, GERARDO

License Type: Trainer Applicant Id: 28971
Date of Birth: 06/12/1988 License Number: 81809

Ruling # 2016-SRP-48

Action Type: Initial Ruling

Ruling:

Trainer Gerado Gutierrez having been duly notified, and having appeared before the Board of Stewards on May 20, 2016 regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed overage of allowable limits for the Class IV drugs "Phenylbutazone" and "Flunixin" which was found in sample NM19274, after it was collected from the horse, "Vegas Cartel" which finished first in the 3rd race, April 23, 2016, at SunRay Park;

(The original lab report indicated a finding of Phenylbutazone at 0.60 mcg/ml and Flunixin at 19 ng/ml in urine. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded, and denied.

Gerado Gutierrez is found to be in violation of:

15.2.6.9(D)(1-2-3) NMAC: Which states in pertinent part that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other 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 (b) therapeutic medications in excess of established acceptable levels".

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: Which states in pertinent part that "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 horse. 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 the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

For this violation, the Board of Stewards assessed Gerado Gutierrez a penalty as follows:

A fine in the amount of \$750.00 :

This is a 2nd positive test violation in the past 365 day period, and is issued in accordance with 15.2.6.9 (C)(3)(c) NMAC. The fine is to be paid on or before June 19, 2016

BY ORDER OF THE SUNLAND PARK BOARD OF 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.

By Order of The SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-49
Track SunRay Park
Ruling Date: 5/22/2016

Licensee: MIKKELSON, ERIC DANIEL
License Type: 2016 3 Year Trainer Applicant Id: 18855
Date of Birth: 10/18/1978 License Number: 281375

Ruling # 2016-SRP-49

Action Type: Initial Ruling

Ruling:

Licensee's New Mexico Racing Commission License # 281375 is hereby rescinded having terminated employment and no longer working in this licensed capacity.

Explanation of license situation: No longer working as a trainer and will be taking out an Assistant Trainers license.

This ruling is in accordance with: NMAC 16.47.1.8

16.47.1.8 GENERAL PROVISIONS:

A. LICENSES REQUIRED: A person as defined by Subsection P, Paragraph (7) of 15.2.1.7 NMAC shall not participate in pari mutuel racing under the jurisdiction of the commission, or be employed by an association who is a gaming operator, without a valid license issued by the commission

J. LICENSE REFUSAL: The commission may refuse to issue a license and give the applicant the option of withdrawal of an application without prejudice. If an applicant is refused, the applicant may reapply for a license

By Order of The SunRay Park Stewards

Steward

Steward

Steward