



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-50
Track SunRay Park
Ruling Date: 5/22/2016

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-50

Action Type: Initial Ruling

Ruling:

Issued in ERROR

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-51
Track SunRay Park
Ruling Date: 5/23/2016

Licensee: BOURDIEU, JORGE M.

License Type: Jockey Applicant Id: 30921
Date of Birth: 12/23/1974 License Number: 152956

Ruling # 2016-SRP-51

Action Type: Initial Ruling

Ruling:

Jockey Jorge Martin Bourdieu, having appeared before the Board of Stewards on May 23, 2016 for a disciplinary hearing for conduct concerning his objection and Stewards review of the films on May 9, 2016, was found in violation of Commission rules.

This ruling is in accordance with:

NMAC: 16.47.1.8 GENERAL PROVISIONS

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

(h) 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;

NMAC 15.2.3.8.(B) (1) (d)

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.

For this rule violation the Board of Stewards assessed Jorge Martin Bourdieu a penalty in the amount of Five hundred dollars (\$500.00). The fine is to be paid on or before June 20, 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.

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."

Bob Allison

For Walk

Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-52
Track SunRay Park
Ruling Date: 5/23/2016

Licensee: FINCHER, TODD W.
License Type: 2016 3 Year Trainer Applicant Id: 27974
Date of Birth: 08/27/1971 License Number: 280641

Ruling # 2016-SRP-52

Action Type: Initial Ruling

Ruling:

Lee having appeared before the Board of Stewards telephonically on 5/23/16, for failure to enter a horse in the correct race. Jaquill that was entered to run in the 7th race, on 5/14/16 at Sunray Park. Licensee is found to be in violation of Commission rules.

Narrative:

For this rule violation, the Board of Stewards assessed a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before 6/20/16 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:

C. OTHER RESPONSIBILITY: A trainer is responsible for

(17) 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;

(18) horses entered as to eligibility and weight or other allowances claimed

15.2.5.9 B

(2) The scratch of a horse after closing shall be made by the owner, trainer or their licensed designee, with permission from the stewards

(4) No horse may be scratched from an overnight race without approval of the stewards

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-53
Track SunRay Park
Ruling Date: 5/23/2016

Licensee: GAYTAN, CAROLINA

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

Ruling # 2016-SRP-53

Action Type: Initial Ruling

Ruling:

Trainer Carolina Gaytan having been notified and appeared before the Board of Stewards on Monday, May 23, 2016, beginning at 10:30 a.m., in the offices of the Board of Stewards at SunRay Park regarding the following:

SUMMARY SUSPENSION of TRAINER "CAROLINA GAYLAN" 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 MAY 20, 2016, IN RACE 8, POST POSITION 3. "VALIANT MELTDOWN" WAS A LATE SCRATCH AND SENT TO THE TEST BARN FOR A SPECIAL BLOOD/URINE SAMPLE FOR FURTHER ANALYSIS.

After hearing the facts:

The Board of Stewards assess Trainer Carolina Gaytan the following:
Release of the summary suspension. Effective 5/23/2016

RESCIND NMRC Ruling # 2016-SRP-46

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

Steward

Ron Walker

Steward

Linda Sabino

Steward



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-54
Track SunRay Park
Ruling Date: 5/27/2016

Licensee: MARTINEZ, ISAAC A
License Type: 2015 3 Year Trainer Applicant Id: 26532
Date of Birth: 02/14/1981 License Number: 277375

Ruling # 2016-SRP-54

Action Type: Initial Ruling

Ruling:

Licensee having appeared telephonically before the Board of Stewards on May 27, 2016 for failure to declare equipment (No Blinker) at time of entry on the horse Miz Good Friday, entered in the 2ND race, on May 22, 2016 at SunRay Park Race Track. Licensee is found to be in violation of Commission rules

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.

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)(1) 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-55
Track SunRay Park
Ruling Date: 5/27/2016

Licensee: WEATHERLY, MICHAEL GLEN
License Type: Owner Applicant Id: 23385
Date of Birth: 07/13/1950 License Number: 81058

Ruling # 2016-SRP-55

Action Type: Initial Ruling

Ruling:

Owner Michael G. Weatherly being represented by Trainer Dan Dennison having been duly notified, and having appeared for a scheduled hearing before the Board of Stewards on May 27, 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 drug "Phenylbutazone" which was found in sample NM19436, after it was collected from the horse, "Justa Sunday Dream" which finished 1st in the 3rd race, May 8, 2016 at SunRay Park.

(The original lab report indicated a finding of Phenylbutazone at 2.39 ug/ml in blood/serum. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded, and denied.

The concentration of Phenylbutazone 2.39 ug/ml exceeds the authorized medication limit of 2.0 ug/ml

Michael G. Weatherly 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 (E)(1) NMAC: Which states in pertinent part "The permitted quantitative test level of Phenylbutazone shall be administered in such dosage amount that the official test sample shall not exceed 2 micrograms per milliliter of plasma".

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 Michael G. Weatherly a penalty as follows;

(1) A Warning: **This is the 1st positive test violation in the past 365 day period**

BY ORDER OF THE SUNRAY PARK BOARD OF STEWARDS



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-56
Track SunRay Park
Ruling Date: 5/27/2016

Licensee: DENNISON, DANIEL H
License Type: Trainer Applicant Id: 20492
Date of Birth: 01/24/1952 License Number: 81838

Ruling # 2016-SRP-56

Action Type: Initial Ruling

Ruling:

Trainer Dan Dennison having been duly notified, and having appeared for a scheduled hearing before the Board of Stewards on May 27, 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 drug "Phenylbutazone" which was found in sample NM19436, after it was collected from the horse, "Justa Sunday Dream" which finished 1st in the 3rd race, May 8, 2016 at SunRay Park.

(The original lab report indicated a finding of Phenylbutazone at 2.39 ug/ml in blood/serum. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded, and denied.

The concentration of Phenylbutazone 2.39 ug/ml exceeds the authorized medication limit of 2.0 ug/ml

Dan Dennison 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 (E)(1) NMAC: Which states in pertinent part "The permitted quantitative test level of Phenylbutazone shall be administered in such dosage amount that the official test sample shall not exceed 2 micrograms per milliliter of plasma".

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 Dan Dennison a penalty as follows;

(1) A fine in the amount of Five Hundred dollars (\$500.00);

This is the 1st positive test violation in the past 365 day period, and is issued in accordance with 15.2.6.9 (C)(3) NMAC. The fine is to be paid on or before June 26, 2016, in accordance with 15.2.3.8(B)(3) NMAC.

BY ORDER OF THE SUNRAY PARK BOARD OF STEWARDS



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-57
Track SunRay Park
Ruling Date: 5/28/2016

Licensee: HUDSON, JEFFERY DALE
License Type: 2014 3 Year Trainer Applicant Id: 14485
Date of Birth: 10/20/1961 License Number: 112257

Ruling # 2016-SRP-57

Action Type: Initial Ruling

Ruling:

Licensee having appeared telephonically before the Board of Stewards on May 28, 2016 for failure to declare equipment (Blinkers on) at time of entry on "Pache's Ego", entered in the 9TH race, on May14, 2016, at SunRay Park Race Track. Licensee is found to be in violation of Commission rules.

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.

For this rule violation, the Board of Stewards assessed a penalty in the amount of Fifty dollars (\$50.00). The fine is to be paid on or before June 28,2016 in accordance with 15.2.3.8(B)(3)(1) 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

Bob Allison

For Walk

Linda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-58
Track SunRay Park
Ruling Date: 5/28/2016

Licensee: VEGA, RAUL VELARDE
License Type: 2016 1 Year Temporary Applicant Id: 9954
Date of Birth: 03/11/1975 License Number: 281418

Ruling # 2016-SRP-58
Action Type: Initial Ruling
Ruling:

Trainer Raul V. Vega, having telephonically appeared, before the Board of Stewards on this date for failure to provide equipment: (Blinkers) , on the horse "Flashy Beamer" that ran in the 3rd race, Friday, May 27, 2016, at SunRay Park

Raul V. Vega 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 1st violation at this meeting, the Board of Stewards assessed Raul V. Vega 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

Bob. Allison

For Walker

Fando Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-SRP-59
Track SunRay Park
Ruling Date: 5/29/2016

Licensee: CHAVEZ, JAVIER M
License Type: 2015 3 Year Owner Applicant Id: 20279
Date of Birth: 11/19/1967 License Number: 279200

Ruling # 2016-SRP-59

Action Type: Initial Ruling

Ruling:

Owner Javier M. Chavez being represented by Trainer Gerado Gutierrez having been duly notified, and having appeared before the Board of Stewards on May 29, 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.

Javier M. Chavez 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".

For this violation, the Board of Stewards assessed Javier M. Chavez a penalty as follows;

A warning, as this is a 1st 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 any reinstatement date, in accordance with 15.2.3.8(B)(3)(I) NMAC.

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-60
Track SunRay Park
Ruling Date: 5/29/2016

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

Ruling # 2016-SRP-60

Action Type: Initial Ruling

Ruling:

Trainer Carolina Gaytan having been duly notified, and appeared before the Board of Stewards on May 29, 2016, for employing unlicensed help at SunRay Park.

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 28, 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:

16.47.1.8 (L)(1)(C) NMAC: which states “ 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.”

16.47.1.10 (C)(4) NMAC: which states in pertinent part, “A trainer must provide 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.”

By Order of The SunRay Park Stewards

Steward

Steward

Steward