



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SRP-73
Track SunRay Park
Ruling Date: 6/10/2017

Licensee: WARREN, KAYLA EMMANN
License Type: 2016 3 Year Trainer Applicant Id: 16188
Date of Birth: 02/11/1982 License Number: 281259

Ruling # 2017-SRP-73

Action Type: Initial Ruling

Ruling:

Trainer **Kayla Warren** having been duly notified and having waived her right to a 10 day notice and formal hearing before the Board Of Stewards on **June 10, 2017**, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Phenylbutazone (class 4 penalty category C drug) found in test sample **NM 26983** taken from the horse "**Poster**" that did not finish and was euthanized following **the 9th race on May 15, 2017 at SunRay Park Racetrack.**

Licensee is found to be in violation of: 15.2.6.9(C)(1-2-3) NMAC: Which states 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".

This ruling is written in accordance with:

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES (4) Class 4 - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so.

15.2.6.11(A) NMAC: Trainer Responsibility

16.47.1.10(B)(1) NMAC: Absolute Insurer 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."

The original lab report indicated a finding of Phenylbutazone at **5.16 ug per milliliter in the blood, which exceeds the allowable limit of 2.0 micrograms per milliliter in the blood.** Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Kayla Warren.**

Casi Blanchett is the owner of record for horse "Poster". In accordance with 15.2.6.9 (C)(2)(b) NMAC, **this is Kayla Warren's FIRST Class 4C major violation.**

For this **FIRST Class 4C medication violation** issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed **Kayla Warren** a penalty as follows:

1. A **(\$1,000) Thousand dollar fine to be paid on or before July 9, 2017**, in accordance with 15.2.1.9(B) (7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

16.47.1.8. T. KNOWLEDGE OF RULES:

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."

The SunRay Park Board of Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SRP-74
Track SunRay Park
Ruling Date: 6/10/2017

Licensee: MEDRANO, ALBERT T.

License Type: 2016 3 Year Jockey Applicant Id: 20151

Date of Birth: 10/09/1990 License Number: 280564

Ruling # 2017-SRP-74

Action Type: Initial Ruling

Ruling:

Jockey, Albert Medrano, having been summoned **and having appeared** before the Board of Stewards on **June 10, 2017**, for careless riding during the running of the **7th race on June 9, 2017, at SunRay Park Racetrack** while **aboard "Redneck Ryan" which resulted in his mount being disqualified from third place to seventh.** (Interfered with the #5 horse nearing the wire)

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish 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."

15.2.5.13(E)(3)(d) NMAC: Post to Finish (d) In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse.

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.5.13(E)(3)(d) NMAC: Post to Finish The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

15.2.5.13(E)(4)(a) NMAC Disqualification. When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last

For this violation, the Board of Stewards assessed Albert Medrano a suspension of **3 race days (June 19, 2017, June 23, 2017, June 24, 2017,).** Albert Medrano is allowed to ride designated races.

16.47.1.8. T. KNOWLEDGE OF RULES:

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."

Linda Salinas *Ron Walker* *Martin Hammett*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SRP-75
Track SunRay Park
Ruling Date: 6/11/2017

Licensee: SALCEDO, MAURO
License Type: 2017 1 Year Duplicate Applicant Id: 137075
Date of Birth: 09/17/1995 License Number: 284667

Ruling # 2017-SRP-75

Action Type: Initial Ruling

Ruling:

Jockey, **Mauro Salcedo**, having been summoned **and having appeared** before the Board of Stewards **on June 10, 2017**, for careless riding during the running of the **7th race on June 9, 2017, at SunRay Park Racetrack** while **aboard "Jm One Hot Boy" which resulted in his mount being disqualified from second place to sixth.** (Interfered with the #5 horse nearing the wire)

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish 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."

15.2.5.13(E)(3)(d) NMAC: Post to Finish (d) In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse.

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.5.13(E)(3)(d) NMAC: Post to Finish The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

15.2.5.13(E)(4)(a) NMAC Disqualification. When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last

For this violation, the Board of Stewards assessed **Mauro Salcedo** a suspension of **3 race days (June 18, 2017, June 19, 2017, June 23, 2017,). Mauro Salcedo** is allowed to ride designated races.

16.47.1.8. T. KNOWLEDGE OF RULES:

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."

The SunRay board of Stewards

Martin Hamilton *Ro Walker* *Linda Salinas*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SRP-76
Track SunRay Park
Ruling Date: 6/11/2017

Licensee: MEGARIZ,III MICHAEL
License Type: 2015 3 Year Trainer Applicant Id: 16966
Date of Birth: 01/06/1963 License Number: 279624

Ruling # 2017-SRP-76

Action Type: Initial Ruling

Ruling:

Trainer **Michael Megariz III**, having been duly notified and having waived his right to a 10 day notice and formal hearing before the Board Of Stewards on **June 11, 2017**, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, **Flunixin** (class 4 penalty category C drug) found in test sample **NM 26832** taken from the third place finisher "**Flash of Victory**" following the 2ND race, on April 28, 2017 at SunRay Park Racetrack.

The original lab report indicated a finding of Flunixin at 28.9 ng/ per milliliter in the blood, which exceeds the allowable limit of **20.0 nanograms per milliliter in the blood**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Michael Megariz III .

Licensee is found to be in violation of:

15.2.6.9(C)(1-2-3) NMAC: Which states 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".

This ruling is written in accordance with:

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES (4) Class 4 - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so.

15.2.6.11(A) NMAC: Trainer Responsibility

16.47.1.10(B)(1) NMAC: Absolute Insurer 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 **FIRST Class 4C** medication violation issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed **Michael Megariz III** a penalty as follows:

A (\$500) FIVE hundred dollar fine to be paid on or before July 11, 2017, in accordance with 15.2.1.9(B)(7) (f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

16.47.1.8. T. KNOWLEDGE OF RULES:

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 appeal is received 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 \$100. The fee must be in the form of cash, a cashier's check, money order or personal check."

The SunRay Park Board of Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SRP-77
Track SunRay Park
Ruling Date: 6/11/2017

Licensee: SMITH, TeJAY BROOKS
License Type: 2017 3 Year Trainer Applicant Id: 21573
Date of Birth: 02/26/1985 License Number: 285411

Ruling # 2017-SRP-77

Action Type: Initial Ruling

Ruling:

Trainer Tejay Brooks Smith, having been duly notified and having appeared before the Board of Stewards on June 11, 2017, at SunRay Park, for failing to disclose criminal/arrest history on his licensing application.

Licensee is found to be in violation of:

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

For this violation, the Board of Stewards issue Tejay B. Smith a penalty of the following:

A revocation of any/all New Mexico Racing Commission licenses, effective immediately **June 11, 2017**, and is referred to the New Mexico Racing Commission for their further review prior to any further application.

During said time of suspension Tejay B. Smith is denied access to all grounds under the jurisdiction of the New Mexico Racing Commission in accordance with 15.2.1.9(C)(21)(a) NMAC.

This ruling is written in accordance with:

16.47.1.8 (L)(1)(i) – CONDUCT Which states in pertinent part “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”

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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."

Linda Salinas Ron Wash Martin Hamilton

By Order of The SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SRP-78
Track SunRay Park
Ruling Date: 6/12/2017

Licensee: GONZALEZ, ANDRES S
License Type: 2017 3 Year Trainer Applicant Id: 28171
Date of Birth: 05/27/1987 License Number: 285598

Ruling # 2017-SRP-78

Action Type: Initial Ruling

Ruling:

Trainer **Andres Gonzalez** having been duly notified and having appeared telephonically before the Board of Stewards on **June 12, 2017**, for failing to have a current **piroplasmosis** for entry "**Miracle Bunny**" which resulted in a late scratch in the fourth race on **July 12, 2015** at Sunray Park.

Licensee is found to be in violation of.

15.2.5.12(Z) A horse shall be ineligible to start when "there is no current negative test certificate for equine infectious anemia on file with the racing office, as required by the commission".

16.47.1.10(C)(5) the proper identity, custody, care, health, condition, and safety of horses in their charge.

16.47.1.10(C)(7) maintaining a knowledge of the medication record and status of all horses in their care.

15.2.3.8 B (1) (d) **Stewards General authority.** 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 violation, the Board of Stewards assessed **Andres Gonzalez** a fine in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **July 11, 2017**, 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. T. **KNOWLEDGE OF RULES:**

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