



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2019-SRP-7  
Track: SunRay Park  
Ruling Date: 5/11/2019

Licensee: FLORES, MARCO A.

License Type: 2018 3 Year Trainer      Applicant Id: 33697  
License Number: 288782

Ruling # 2019-SRP-7

Action Type: Initial Ruling

Ruling:

Trainer, Marco A. Flores, is hereby summarily suspended, effective immediately, May 11, 2019 pending the outcome of his hearing scheduled for May 19, 2019, at 9:30 a.m. in the office of the Board of Stewards at Sunray Park Racetrack (39 Road 5568, Farmington, NM 87401), per 15.2.1.9 (B)(3)(b) Summary Suspension. The summary suspension is in regard to the confirmed positive of the Class 3 Penalty B Controlled Substance, clenbuterol, found in test sample #E316350 taken from the second place finisher, "Bonafide Hero", in the 6th race on April 19, 2019, at Sunland Park Racetrack.

In accordance with 15.2.1.9 (C)(21), Marco A. Flores is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care of Marco A. Flores are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Marco A. Flores must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.

Licensee is found in violation of and this ruling is written in accordance with: 15.2.1.9(B)(3)(a) Proceedings Before The Stewards: Summary Suspension If the Stewards determine that a licensee's action constitute an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing.

15.2.1.7(C)(8)"Controlled substance" is any substance included in the five classification schedules of the (U.S.) Controlled Substance Act of 1970.

15.2.6.9(C)(4) There is no permissible concentration of clenbuterol that is allowed to appear in any official sample.

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

16.47.1.8(U)(2) Protection of horses No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care.

16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule.

15.2.1.9(B)(3)(b) Proceedings Before The Stewards: Summary Suspension A licensee whose license has been summarily suspended is entitled to a hearing on the summary suspension not later than the 10th day after the license was summarily suspended. The licensee may waive their right to a hearing on the summary suspension within the 10-day limit 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required

By Order of The SunRay Park 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.



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: 2019-SRP-8  
Track: SunRay Park  
Ruling Date: 5/13/2019

Licensee: GARCIA-HERRERA, ENRIQUE D  
License Type: 2018 3 Year Jockey Applicant Id: 2011  
License Number: 290948

Ruling # 2019-SRP-8

Action Type: Initial Ruling

Ruling:

Jockey, **Enrique Garcia**, having been summoned **and appeared** before the Board of Stewards **on May 13, 2019** for failure to make sufficient effort to control his mount during the running of the **5th race on May 11, 2019, at Sunray Park Racetrack** while **aboard "Double Dehere", which resulted in a disqualification (5th to 10th).**

For this violation, the Board of Stewards assessed **Enrique Garcia** a fine in the amount of \$200. The fine is to be paid on or before June 12, 2019 in accordance with 15.2.3.8(B)(3)(l) NMAC. Failure to pay the fine within the time prescribed shall result in immediate suspension.

**Licensee is found in violation of and written in accordance with:**

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) (a) NMAC Post to Finish 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) (3) (b) 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) (3) (c) NMAC Post to Finish 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)(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

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys

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:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The SunRay Park 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.



New Mexico Racing Commission  
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Ruling #: 2019-SRP-9  
Track SunRay Park  
Ruling Date: 5/13/2019

Licensee: PEREZ, MIGUEL ANGEL

License Type: 2018 3 Year Jockey      Applicant Id: 31329  
License Number: 289006

Ruling # 2019-SRP-9

Action Type: Initial Ruling

Ruling:

Jockey, Miguel Perez, having been summoned **and appeared** before the Board of Stewards **on May 13, 2019** for failure to make sufficient effort to control his mount during the running of the **7th race on May 11, 2019, at Sunray Park Racetrack** while **aboard "Bellelaro"**.

For this violation, the Board of Stewards assessed Miguel Perez a fine in the amount of \$200. The fine is to be paid on or before June 12, 2019 in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed shall result in immediate suspension.

**Licensee is found in violation of and written in accordance with:**

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) (a) NMAC **Post to Finish** 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) (3) (b) 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) (3) (c) NMAC **Post to Finish** 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)(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

15.2.1.9(B)(4)(A) **Notice of Hearing for Jockeys**

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:**

16.47.1.3 **Statutory Authority**

16.47.1.8 (A)(1) **License Required**

16.47.1.8 (A)(2) **License Required**

16.47.1.8(N) **Last Known Address**

By Order of The SunRay Park 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.



New Mexico Racing Commission  
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Ruling #: 2019-SRP-10  
Track: SunRay Park  
Ruling Date: 5/13/2019

Licensee: OCHOA, JUAN MIGUEL  
License Type: 2019 3 Year Jockey      Applicant Id: 23184  
License Number: 293776

Ruling # 2019-SRP-10

Action Type: Initial Ruling

Ruling:

Jockey, **Juan Ochoa**, having been summoned **and having appeared** before Board of Stewards **on May 13, 2019**, for careless riding during the running of the **9th race on May 12th, 2019** while **aboard #9 "Skeeter Who" which resulted in his mount being disqualified from first place to second place.** (Bore out around the turn and in deep stretch impeding the number 7 "Pache's Nugget.)

For this rule violation, the Board of Stewards assessed **Juan Ochoa** a suspension of **7 calendar days (May 21, 2019 thru May 27th, 2019).** **Juan Ochoa** is allowed to ride designated races.

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)(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."

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

15.2.1.9(B)(4)(A) **Notice of Hearing for Jockeys**

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:**

16.47.1.3 **Statutory Authority**

16.47.1.8 (A)(1) **License Required**

16.47.1.8 (A)(2) **License Required**

16.47.1.8(N) **Last Known Address**

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."



New Mexico Racing Commission  
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Ruling #: 2019-SRP-11  
Track: SunRay Park  
Ruling Date: 5/18/2019

Licensee: HUDSON, JEFFERY DALE

License Type: 2017 3 Year Trainer      Applicant Id: 14485  
License Number: 286505

Ruling # 2019-SRP-11

Action Type: Initial Ruling

Ruling:

Trainer/ Owner **Jeffery Hudson** was duly notified and waived his right to a hearing before the Board of Stewards on **May 18, 2019**. The hearing was in regard to a confirmed positive for the therapeutic drugs **Flunixin and Phenylbutazone (a stacking violation 4C Major)**, found in test sample **#E305895**. The test sample was taken from the horse, "**Comin Sundown**", following **the 6th race on March 12, 2019 at Sunland Park Racetrack**.

The certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** indicated a finding of **Flunixin at 11.5 +/- 0.6 ng/ml in the blood and Phenylbutazone at 3.33 +/- 0.38 mcg/ml making it a 4C Major stacking violation**. Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to the trainer and confirmed by TVMDL (Flunixin 10.2 +/- 1.2 ng/ml & Phenylbutazone 2.8 +/- 0.3mcg/ml).

**Jeffery Hudson** was the owner of record at the time of the incident for the horse "**Comin Sundown**".

In accordance with **15.2.6.9(B)(4) PENALTY RECOMMENDATIONS**, this is **trainer Jeffery Hudson's Second Class 4C MAJOR medication violation in a 365-day period**. The Board of Stewards hereby assess penalty as follows:

1. A **(\$1,500) one thousand five hundred dollar fine to paid on or before June 17, 2019**, in accordance with **15.2.3.8 (B)(3)(I) NMAC**. Failure to pay the fine in the prescribed time shall result in an immediate suspension.
2. **A 15 day suspension of all NMRC licenses starting May 27, 2019, through June 10, 2019, inclusive.**
3. The horse "**Comin Sundown**" is hereby disqualified from 1st place and ordered unplaced from the 6th race on March 12, 2019 at Sunland Park Racetrack for all but pari-mutuel wagering.  
The purse redistribution is as follows
  1. Ali's Ruckas
  2. Silver Secret R F
  3. Superbad Warning
  4. Silent Zenon
  5. The Ghost of Dixie
  6. Aussie You Later
  7. Silver Flask
  8. Truly Beyond
  9. TaxationUnplaced: Comin Sundown
4. The horse Comin Sundown must pass a commission-approved examination before being eligible to run.

During said time of applicable suspension **Jeffery Hudson** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**. Additionally, effective upon applicable suspension dates, all horses **owned or trained by or under the care and custody of Jeffery Hudson** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **owned or trained by or under the care and custody of Jeffery Hudson** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5)Assistant Trainers and 15.2.1.9(B)(8)(b)**.

**Licensee is found in violation of and this ruling is written in accordance with:** 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/15.2.6.9(B)(4)/ 15.2.6.9(C)(1)/15.2.6.9(N)(1)(2)(3)(c)(e)(5)(a)(c)/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations. **15.2.1.9(B)(9)(b): Appeal Procedures** 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 #: 2019-SRP-12  
Track SunRay Park  
Ruling Date: 5/18/2019

Licensee: FULLER, MARIA YESSENIA

License Type: Applicant Id: 162095  
License Number:

Ruling # 2019-SRP-12

Action Type: Initial Ruling

Ruling:

Applicant Maria Yessenia Fuller having applied for a groom's license on May 18, 2019, at Sunray Park, is hereby denied having tested positive for Amphetamines and THC in the required drug test. Maria Yessenia Fuller will be eligible to reapply in 60 days and must provide a negative drug test prior to licensure.

**Licensee is found to be in violation of and this Ruling is written in accordance with:**

*16.47.1 L (e) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license.*

By Order of The SunRay Park 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.