



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-SUN-185  
Track Sunland Park  
Ruling Date: 3/22/2016

Licensee: MARCOM, BRANDON LEE  
License Type: 2016 1 Year Assistant Applicant Id: 7274  
Date of Birth: 06/28/1973 License Number: 281024

Ruling # 2016-SUN-185

Action Type: Initial Ruling

Ruling:

Assistant Trainer Brandon Marcom, having been duly notified, appeared before the Board of Stewards on Sunday, March 20, for working with an expired license on the backstretch and in the paddock at the Sunland Park meet.

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 one hundred dollars (\$100). The fine is to be paid on or before April 22, 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 (G)(1) NMAC:** which states in pertinent part "The employment of any unlicensed person under the jurisdiction of the Commission is prohibited."

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 Sunland Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-SUN-186  
Track Sunland Park  
Ruling Date: 3/25/2016

Licensee: REYES, FRANK

License Type: 2014 3 Year Jockey Applicant Id: 116762

Date of Birth: 10/09/1990 License Number: 184679

Ruling # 2016-SUN-186

Action Type: Initial Ruling

Ruling:

**Jockey, Frank Reyes, having been summoned and appeared before the Board of Stewards on March 25, 2016 for careless while aboard "LEISIS MORE" in the 2ND race, March 22, 2016, is found to be in violation of Commission rules.**

**For this violation, the Board of Stewards assessed Frank Reyes a suspension of 6 days (APRIL 2, 2016, APRIL 3, 2016, APRIL 5, 2016, APRIL 6, 2016, APRIL 8, 2016, and APRIL 9, 2016).**

**This ruling is in accordance with:**

15.2.5.13(E)(3)(c) NMAC:

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)(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  
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Ruling #: 2016-SUN-187  
Track Sunland Park  
Ruling Date: 3/26/2016

Licensee: BALDERRAMA, CONCEPCION  
License Type: 2015 3 Year Trainer Applicant Id: 31583  
Date of Birth: 09/11/1964 License Number: 216466

Ruling # 2016-SUN-187

Action Type: Initial Ruling

Ruling:

**Trainer Conception Balderrama, having failed to pay the fines assessed in Ruling 2015-ZIA 193, 2015-ZIA 190, 2015-ZIA 187, 2015-ZIA 197 and 2015-ZIA 235**

**Conception Balderrama, is found to be in violation of:**

**15.2.1.9 (B)(7)(f) NMAC and 15.2.3.8 (B)(3)(1) NMAC: Which states in pertinent part "All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered".**

**For this rule violation, all licenses issued to Conception Balderrama, are suspended, and he will be ineligible to apply for any future New Mexico Racing Commission license until the fines, as addressed above, have been paid in full.**

**During said time of applicable suspension, Conception Balderrama, 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.**

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  
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Ruling #: 2016-SUN-188  
Track Sunland Park  
Ruling Date: 3/26/2016

Licensee: JUAREZ, RENE G

License Type: Owner Applicant Id: 33506

Date of Birth: 08/08/1982 License Number: 81471

Ruling # 2016-SUN-188

Action Type: Initial Ruling

Ruling:

**Rene Juarez, having failed to pay the fines assessed in Ruling 2015-ZIA-252.**

**Rene Juarez, is found to be in violation of:**

**15.2.1.9 (B)(7)(f) NMAC and 15.2.3.8 (B)(3)(1) NMAC: Which states in pertinent part "All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered".**

**For this rule violation, all licenses issued to Rene Juarez, are suspended, and he will be ineligible to apply for any future New Mexico Racing Commission license until the fines, as addressed above, have been paid in full.**

**During said time of applicable suspension, Rene Juarez, 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.**

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 Sunland Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: 2016-SUN-189  
Track Sunland Park  
Ruling Date: 3/26/2016

Licensee: MARTINEZ, ADAM J  
License Type: 2015 3 Year Jockey Applicant Id: 19893  
Date of Birth: 07/23/1988 License Number: 246742

Ruling # 2016-SUN-189

Action Type: Initial Ruling

Ruling:

**Adam Martinez, having failed to pay the fines assessed in Ruling 2015-ZIA-379.**

**Adam Martinez, is found to be in violation of:**

**15.2.1.9 (B)(7)(f) NMAC and 15.2.3.8 (B)(3)(1) NMAC: Which states in pertinent part  
"All fines imposed by the Stewards shall be paid to the Commission within 30 days after the  
ruling is issued, unless otherwise ordered".**

**For this rule violation, all licenses issued to Adam Martinez, are suspended, and he will be  
ineligible to apply for any future New Mexico Racing Commission license until the fines, as  
addressed above, have been paid in full.**

**During said time of applicable suspension, Adam Martinez, 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.**

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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Ruling #: 2016-SUN-190  
Track Sunland Park  
Ruling Date: 3/26/2016

Licensee: MONTES, JR CANDELARIO GUERRERO  
License Type: 2015 1 Year Temporary Applicant Id: 11234  
Date of Birth: 05/02/1977 License Number: 279312

Ruling # 2016-SUN-190

Action Type: Initial Ruling

Ruling:

**CANDELARIO GUERRERO MONTES, JR**, having failed to pay the fines assessed in Ruling 2015-ZIA-314.

**CANDELARIO GUERRERO MONTES, JR**, is found to be in violation of:

**15.2.1.9 (B)(7)(f) NMAC and 15.2.3.8 (B)(3)(1) NMAC**: Which states in pertinent part "All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered".

For this rule violation, all licenses issued to **CANDELARIO GUERRERO MONTES, JR**, are suspended, and he will be ineligible to apply for any future New Mexico Racing Commission license until the fines, as addressed above, have been paid in full.

During said time of applicable suspension, **CANDELARIO GUERRERO MONTES, JR**, 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.

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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Ruling #: 2016-SUN-191  
Track Sunland Park  
Ruling Date: 3/26/2016

Licensee: VILLANUEVA, JUAN CARLOS

License Type: 2015 3 Year Jockey      Applicant Id: 34058  
Date of Birth: 09/04/1982      License Number: 279877

Ruling # 2016-SUN-191

Action Type: Initial Ruling

Ruling:

**Jockey, Juan C. Villanueva, appeared before the Board of Stewards, March 25, 2016, in regards to his failure to full-fill his riding engagement on March 5, 2016 in the 6th race on March 5, 2016. This was the number 8 horse Windchaser.**

**For this rule violation, due to mitigating circumstances that Mr Villanueva brought in a doctor's release the Board of Stewards assessed a penalty in amount of one hundred dollars (\$100.00). The fine is to be paid on or before April 26, 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.**

**FOUND IN VIOLATION OF: 15.2.5.13 C. Jockey Requirements(3) Except as otherwise provided by this subsection, a jockey engaged for a certain race or 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.**

15.2.5.13(C)(3) NMAC:

Which states in pertinent part that "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."

15.2.5.13(C)(1) NMAC:

Which states in pertinent part that "Jockeys shall report to the jockey's 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."

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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Ruling #: 2016-SUN-192  
Track Sunland Park  
Ruling Date: 3/26/2016

Licensee: GONZALEZ, JOSE A  
License Type: 2015 3 Year Trainer Applicant Id: 29031  
Date of Birth: 11/29/1965 License Number: 246836

Ruling # 2016-SUN-192

Action Type: Initial Ruling

Ruling:

Trainer, Jose A. Gonzalez having appeared before the Board of Stewards on March 25, 2016 for employing a person with an expired 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 April 25, 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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Ruling #: 2016-SUN-193  
Track Sunland Park  
Ruling Date: 3/27/2016

Licensee: MEDINA, JESIERE MARIE

License Type: Jockey Applicant Id: 45958  
Date of Birth: 08/08/1988 License Number: 80742

Ruling # 2016-SUN-193

Action Type: Initial Ruling

Ruling:

Jockey, **Jesiere Medina**, having been summoned and appeared before the Board of Stewards on March 26, 2016 for careless while aboard "More Majic" in the 9th race, March 25, 2016, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed **Jesiere Medina** a suspension of 2 days (**APRIL 3, 2016, and APRIL 5, 2016**).

This ruling is in accordance with:

15.2.5.13(E)(3)(c) NMAC:

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)(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  
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Ruling #: 2016-SUN-194  
Track Sunland Park  
Ruling Date: 3/27/2016

Licensee: Vigil, David Jason

License Type: 2014 3 Year Owner

Date of Birth: 07/19/1976

Applicant Id: 86599

License Number: 163437

Ruling # 2016-SUN-194

Action Type: Initial Ruling

Ruling:

**Owner David Vigil** having been duly notified, failed to appear, and had his hearing held in absentia on March 28, 2016, for admitting on record March 13, 2016, that he was responsible for program training with trainer Nichole Trujillo on September 11, 2015 at the New Mexico State Fair. David Vigil accepted responsibility for the clenbuterol positive that occurred in horse "Gone Already" who finished first place in the 9th race at The New Mexico State Fair. **David Vigil** is found to be in violation of Commission rules.

For the violation of program trainer, the Board of Stewards assessed **David Vigil** a penalty:

1. A fine in the amount of five thousand dollars (\$5,000.00). The fine is to be paid on or before April 27, 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.

2. A suspension of 180 days starting April 7, 2016, through October 4, 2016, inclusive.

During said time of applicable suspension, **David Vigil** 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.

Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of **David Vigil** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

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

**16.47.1.10 NMAC. F (1)** A program trainer, as defined in 15.2.1 NMAC, is a trainer who on behalf of an ineligible trainer or an undisclosed person: (a) enters into an agreement for the sole purpose of completing an entry form for a race. (b) pays an entry fee on behalf of an ineligible trainer or an undisclosed person;

(c) receives a financial or beneficial interest for the sole purpose of being listed as the trainer on the official race program; or (d) obtains official works within New Mexico's jurisdiction on behalf of an ineligible trainer or an undisclosed person.(2)

A licensed trainer who violates Paragraph (1) of this subsection will be subject to the following penalties: (a) First offense - six month suspension and a \$5,000 fine.

**16.47.1.8 L (1)(C)** 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.

**15.2.1.9 B. (4) d)** Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

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  
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Ruling #: 2016-SUN-195  
Track Sunland Park  
Ruling Date: 3/28/2016

Licensee: TRUJILLO, NICOLE B

License Type: 2015 3 Year Trainer      Applicant Id: 20418  
Date of Birth: 09/14/1992      License Number: 278180

Ruling # 2016-SUN-195

Action Type: Initial Ruling

Ruling:

**Trainer Nichol Trujillo** having been duly notified (by notice of hearing mailed to address on file), failed to appear and had her hearing held in absentia on March 28, 2016, for admitting on record March 13, 2016, that she participated in program training with owner David Vigil on September 11, 2015 at the New Mexico State Fair. **Nichol Trujillo** is found to be in violation of Commission rules.

For the violation of program trainer, the Board of Stewards assessed **Nichol Trujillo** a penalty:

1. A fine in the amount of five hundred dollars (\$500.00). The fine is to be paid on or before April 27, 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.

• The mitigating circumstances that lead to the stewards assessing a fine of five hundred (\$500) in lieu of a five thousand dollar (\$5,000) fine are

1. Nichol Trujillo had no violations of the NMRC rules until the clenbuterol positive for "Gone Already" who finished first place in the 9th race at The New Mexico State Fair;
2. She showed legitimate proof of having horses in training of her own;
3. She showed proof that she and Mr. David Vigil were no longer doing business;
4. She told the truth and expressed regret;
5. She is currently serving a suspension and paying a fine for the clenbuterol positive.

1. Probation of 180 days in lieu of 180- day suspension (which will start after her current suspension has ended) May 22, 2016, through November 18, 2016, inclusive. If any rule violation occurs during probation period it will be considered a violation of her probation and a fine of five thousand dollars and a 180-day suspension will immediately go into effect.

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

**16.47.1.10 NMAC. F (1)** A program trainer, as defined in 15.2.1 NMAC, is a trainer who on behalf of an ineligible trainer or an undisclosed person: (a) enters into an agreement for the sole purpose of completing an entry form for a race. (b) pays an entry fee on behalf of an ineligible trainer or an undisclosed person (c) receives a financial or beneficial interest for the sole purpose of being listed as the trainer on the official race program; or (d) obtains official works within New Mexico's jurisdiction on behalf of an ineligible trainer or an undisclosed person. (2) A licensed trainer who violates Paragraph (1) of this subsection will be subject to the following penalties: (a) First offense - six month suspension and a \$5,000 fine. **16.47.1.8(L)(1)(h) NMAC:** 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 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." **16.47.1.8 L (1)(C)** 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. **15.2.1.9 B. (4) d)** Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection. **16.47.1.10 B. (1)** 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 horses. 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 a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties. (2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules. (3) A trainer whose horse has been claimed remains the absolute insurer for the race in which the horse is claimed.

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."



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-SUN-196  
Track Sunland Park  
Ruling Date: 3/28/2016

Licensee: SOTO, JESUS M

License Type: Applicant Id: 32730  
Date of Birth: 06/26/1981 License Number:

Ruling # 2016-SUN-196

Action Type: Initial Ruling

Ruling:

issued in error

By Order of The Sunland Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: 2016-SUN-197  
Track Sunland Park  
Ruling Date: 3/28/2016

Licensee: SOTO, JESUS M

License Type: Applicant Id: 32730

Date of Birth: 06/26/1981 License Number:

Ruling # 2016-SUN-197

Action Type: Initial Ruling

Ruling:

issued in error

By Order of The Sunland Park Stewards

*Norm Amundson*

*Robert L. ...*



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-SUN-198  
Track Sunland Park  
Ruling Date: 3/28/2016

Licensee: SOTO, JESUS M

License Type: 2013 3 year Trainer      Applicant Id: 32730  
Date of Birth: 06/26/1981      License Number: 69145

Ruling # 2016-SUN-198

Action Type: Initial Ruling

Ruling:

Owner/ Trainer, Jesus M. Soto, having been duly notified, and having appeared telephonically before the Board of Stewards on this date, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive test for the Class III drug, penalty class B "stanozolol", which was found in sample NM13712, after it was collected from the horse "Spartacus Sr" which finished third(3rd) in the first(1st) race, Sunday, June 28, 2015 at Ruidoso Downs. (The original lab report indicated a finding of "stanozolol" at a level of 1,661 pg/ml in the urine. Split sampling rights, as provided in 15.2.6.10 (D) NMAC were denied by Jesus M. Soto. )

Jesus M. Soto is found to be in violation of:

15.2.6.9(D) (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.

15.2.6.9.H. Androgenic Anabolic Steroids (AAS): (1) No AAS shall be permitted in test sample collected from race horses except for residues of the major metabolite of nandrolone and naturally occurring substances Boldenone and testosterone at concentrations less than indicated thresholds. (3) Any other anabolic steroids are prohibited in race horses.

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: Which states 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 Jesus M. Soto a penalty for this second offense as follows:

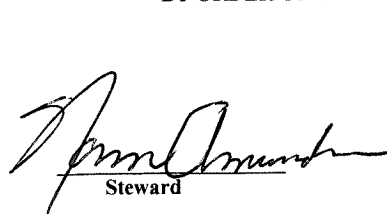
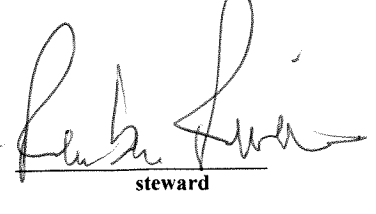
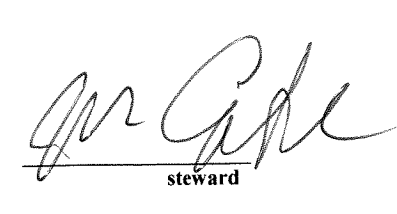
- (1) A suspension of any/all NMSRC issued licenses for a period of 180 calendar days (April 7 through October 4th, 2016, Inclusive);
- (2) A fine in the amount of two-thousand five hundred dollars (\$2500.00.);
- (3) Loss of purse of the race, third(3rd) place date, June 28, 2015 at Ruidoso Downs. New order of finish is (1) Tisa Dashin Panther, (2) Chalias Toy, (3) Special Timarron, (4) Voice of Profit, (5) Shakey Gol, (6) Zooming Bye, (7) Dash of Bravado, Unplaced—Spartacus Sr.

This is a second offense positive test violation in the past 365 day period, and is issued in accordance with 15.2.6.9 (C) (2) NMAC. The fine is to be paid on or before any reinstatement date, in accordance with 15.2.3.8(B) (3) (i) NMAC.

During said time of applicable suspension, Jesus M. Soto 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.

Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Jesus Soto are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C) (21) (e) NMAC.

BY ORDER OF THE SUNLAND PARK BOARD OF STEWARDS

 Steward       steward       steward



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2016-SUN-199  
Track Sunland Park  
Ruling Date: 3/28/2016

Licensee: FRANCO, ALBERT SERRANO

License Type: 2015 3 Year Trainer      Applicant Id: 32103  
Date of Birth: 07/12/1977      License Number: 280123

Ruling # 2016-SUN-199

Action Type: Initial Ruling

Ruling:

**Trainer Albert Franco, having been duly notified, and appeared before the Board of Stewards telephonically on March 28, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive test for the Class 4C drug "Methylprednisolone," which was found in sample NM15139, after it was collected from the horse "Jess Alot of Jess" which finished second in the first race, Friday, September 11, 2015, at the New Mexico State Fair.**

*(The original lab report indicated a finding of Methylprednisolone at 176 picograms per milliliter in blood. This exceeds the allowable limit of 100 picograms per milliliter. Split sample rights, as provided in 15.2.6.10(D) NMAC were offered and waived).*

Alex Baeza is the recorded Owner of the horse "Jess Alot of Jess" which is the subject of the ruling issued on this date.

Albert Franco 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 ARCI Controlled Therapeutic Medication Schedule for Horses, NMAC:** Which states in pertinent part "The permitted quantitative test level of Methylprednisolone shall be administered in such dosage amount that the official test sample shall not exceed 100 picograms per milliliter of plasma or serum."

**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."

This is the first positive test violation in the past 365-day period, and is issued in accordance with 15.2.6.9 (C) (3) NMAC. For this violation, the Board of Stewards assessed Albert Franco a penalty of:

1. A fine in the amount of One Thousand dollars (\$1,000).

The fine is to be paid on or before April 27, 2016, in accordance with 15.2.3.8 (B)(3)NMAC. Failure to pay the fine in prescribed time 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."

By Order of The Sunland Park Stewards