



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SUN-84
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: CARRETE, JESUS J.

License Type: 2015 3 Year Trainer Applicant Id: 3671
Date of Birth: 02/22/1955 License Number: 277319

Ruling # 2017-SUN-84

Action Type: Initial Ruling

Ruling:

Trainer **Jesus Carrete** having been duly notified and having appeared before the Board of Stewards on **February 7, 2017**, for failing to have the owner licensed for entry "**EL G HUGARA**", which resulted in a late scratch out of **the 1st race on December 17, 2016, at Sunland Park Racetrack.** For this violation, the Board of Stewards assessed **Jesus Carrete** a fine in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **March 13, 2017**, in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

Licensee is found to be in violation of:

15.2.5.12(X) NMAC: Which states in pertinent part "A horse shall be ineligible to start in a race when its Owner, Lessor, and/or Trainer have not completed the licensing procedures required by the Commission".

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".

This ruling is written in accordance with:

15.2.3.8 B (3)(f) 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 Sunland 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
Albuquerque, NM 87113

Ruling #: 2017-SUN-85
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: WOOD, G. BLANE

License Type: Trainer Applicant Id: 16940
Date of Birth: 11/22/1958 License Number: 81851

Ruling # 2017-SUN-85

Action Type: Initial Ruling

Ruling:

Trainer G. Blane Wood having been duly notified and having responded telephonically before the Board of Stewards on **February 7, 2017,** for failure to declare equipment (**Flipping Halter Off**) at time of entry for **"FLASH EM THE JEWELS"**, entered in **the 2nd race on December 23, 2016 at Sunland Park Racetrack.**

For this rule violation, the Board of Stewards assessed **G. Blane Wood** a penalty in the amount of **one hundred dollars (\$ 100.00).** The fine is to paid on or before **March 13, 2017,** in accordance with 15.2.3.8(B) (3)(l) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:
15.2.5.8 (B10) Procedure For Entries

This ruling is written in accordance with:

15.2.3.8 B (3)(f) 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 Sunland 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
Albuquerque, NM 87113

Ruling #: 2017-SUN-86
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: GONZALEZ, CYNTHIA GUADALUPE
License Type: 2017 3 Year Trainer Applicant Id: 20355
Date of Birth: 08/24/1991 License Number: 284787

Ruling # 2017-SUN-86

Action Type: Initial Ruling

Ruling:

Trainer Cynthia G. Gonzalez having been duly notified and having responded telephonically before the Board of Stewards on **February 10, 2017**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for **"FANFREAKNTASTIC"**, entered in **the 6th race on December 23, 2016 at Sunland Park Racetrack.**

For this rule violation, the Board of Stewards assessed **Cynthia G. Gonzalez** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **March 13, 2017**, in accordance with 15.2.3.8(B) (3)(l) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:
15.2.5.8 (B10) Procedure For Entries

This ruling is written in accordance with:
15.2.3.8 B (3)(f) 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 Sunland 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
Albuquerque, NM 87113

Ruling #: 2017-SUN-87
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: TERRAZAS, JOHNNA MARIE
License Type: 2015 3 Year Trainer Applicant Id: 157140
Date of Birth: 01/27/1974 License Number: 279181

Ruling # 2017-SUN-87

Action Type: Initial Ruling

Ruling:

Trainer **Johnna Terrazas** having been duly notified, having failed to appear, and had her hearing held in absentia before the Board of Stewards on **February 10, 2017**, for failing to have the owner licensed for entry "**FANTASTIC SEPERATOR**", which resulted in a late scratch out of **the 7th race on December 23, 2016, at Sunland Park Racetrack.**

For this violation, the Board of Stewards assessed **Johnna Terrazas** a fine in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **March 13, 2017**, in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

Licensee is found to be in violation of:

15.2.5.12(X) NMAC: Which states in pertinent part "A horse shall be ineligible to start in a race when its Owner, Lessor, and/or Trainer have not completed the licensing procedures required by the Commission".

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".

This ruling is written in accordance with:

15.2.1.9(B)(4)(d) Nonappearance of a Summoned Party

15.2.3.8 B (3)(f) 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 Sunland 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
Albuquerque, NM 87113

Ruling #: 2017-SUN-88
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: ALDAVAZ, SR JAIME G.

License Type: 2016 3 Year Trainer Applicant Id: 19631
Date of Birth: 05/01/1971 License Number: 281163

Ruling # 2017-SUN-88

Action Type: Initial Ruling

Ruling:

Trainer Jaime Aldavaz having been duly notified, having failed to appear, and had his hearing held in absentia before the Board of Stewards on **February 10, 2017**, for using foul and abusive language when speaking to a security guard on December 21, 2016, at Sunland Park Racetrack.

For this rule violation, the Board of Stewards assessed **Jaime Aldavaz** a penalty in the amount of **five hundred dollars (\$500.00)**. The fine is to be paid on or before **March 13, 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.

Licensee is found to be in violation of :

16.47.1.8 (L)(i) 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”;

This ruling is written in accordance with:

15.2.1.9(B)(4)(d) Nonappearance of a summoned party

15.2.3.8 B (3)(f) 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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SUN-89
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: ALDAVAZ, MARGARITA

License Type: 2014 3 Year Owner Applicant Id: 24132
Date of Birth: 06/13/1971 License Number: 163527

Ruling # 2017-SUN-89

Action Type: Initial Ruling

Ruling:

Owner MARGARITA ALDAVAZ having been duly notified, having failed to appear, and had her hearing held in absentia before the Board of Stewards on **February 10, 2017**, for using foul and abusive language when speaking to a security guard on December 21, 2016, at Sunland Park Racetrack.

For this rule violation, the Board of Stewards assessed **Margarita Aldavaz** a penalty in the amount of **five hundred dollars (\$500.00)**. The fine is to be paid on or before **March 13, 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.

Licensee is found to be in violation of:

16.47.1.8 (L)(i) 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”;

This ruling is written in accordance with:

15.2.1.9(B)(4)(d) Nonappearance of a summoned party

15.2.3.8 B (3)(f) 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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SUN-90
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: GONZALEZ, JUAN M.

License Type: 2014 3 Year Trainer Applicant Id: 31692
Date of Birth: 10/10/1964 License Number: 206299

Ruling # 2017-SUN-90

Action Type: Initial Ruling

Ruling:

Trainer **Juan M Gonzalez** having been duly notified, having failed to appear, and had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **February 11, 2017**, for failure have his entry, **TF IM THAT GUY** in the paddock at the designated time for the **9th race on December 31, 2016, at Sunland Park Racetrack.**

For this rule violation, the Board of Stewards assessed **Juan M Gonzalez** a penalty in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **March 13, 2017**, in accordance with 15.2.3.8(B)(3)(l) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

16.47.1.10 (C) (22) presenting his/her horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;

This ruling is written in accordance with:

15.2.3.8 B (3)(f) 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 Sunland 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
Albuquerque, NM 87113

Ruling #: 2017-SUN-91
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: GONZALEZ, JUAN M.

License Type: 2014 3 Year Trainer Applicant Id: 31692
Date of Birth: 10/10/1964 License Number: 206299

Ruling # 2017-SUN-91

Action Type: Initial Ruling

Ruling:

Trainer **Juan M Gonzalez** having been duly notified, having failed to appear, and had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d), before the Board of Stewards on **February 11, 2017**, for failing to report directly to the test barn with his entry, **SIX EM SIXES** after the **6th race on December 31, 2016, at Sunland Park Racetrack.**

For this rule violation, the Board of Stewards assessed **Juan M Gonzalez** a penalty in the amount of **five hundred dollars (\$500.00)**. The fine is to be paid on or before **March 13, 2017**, in accordance with 15.2.3.8(B)(3)(l) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.6.10 (A)(1)(3) REPORTING TO THE TEST BARN: (1) The official winning horse, or any other horses ordered by the commission or the stewards shall be taken to the test barn to have a blood sample or a urine sample or both taken at the direction of the official veterinarian. **(3)** Unless otherwise directed by the stewards or the official veterinarian, a horse that is selected for testing must be taken directly to the test barn.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) 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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SUN-92
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: MUELA, JOSE LUIS

License Type: 2016 3 Year Trainer Applicant Id: 32421
Date of Birth: 08/07/1971 License Number: 281032

Ruling # 2017-SUN-92

Action Type: Initial Ruling

Ruling:

Trainer Jose Luis Muela having been duly notified and having appeared before the Board of Stewards on January 27, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in horse "Boxwineizfine" (Test Sample #: NM21890), who finished first place in the 10th race on December 11, 2016, at Zia Park Racetrack in Hobbs, NM. Clenbuterol was confirmed in the split sample sent to Texas A&M on January 10, 2017.

Luis Hernandez and Regal Racing (Roy Sanchez), are the owners of record for horse "Boxwineizfine", were duly notified and appeared for this hearing. In accordance with rules 15.2.6.9 (C)(2)(b) this is Mr. Hernandez's SECOND Class 3B medication violation in a 365-day period (refer to ruling 2016-ZIA-147) and Mr. Sanchez's THIRD Class 3B medication violation in a 365-day period (refer to rulings 2016-RUI-68 and 2016-ZIA-106)

For this FIRST Class 3B medication violation in a 365-day period issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed Jose Luis Muela a penalty as follows.

1. A 30 day suspension of all NMRC licenses starting February 12, 2017, through March 14, 2017, inclusive.
2. (\$750) seven hundred and fifty dollar fine to paid on or before March 13, 2017, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.
3. Pursuant to rules 15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(C)(7), the horse "Boxwineizfine" is placed on the Stewards list for a period of 60 days (beginning December 23, 2016). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
4. The horse "Boxwineizfine" is hereby disqualified from FIRST PLACE and ordered unplaced from the 10th race on December 11, 2016, at Zia Park Racetrack in Hobbs, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Apollitical Sign
2. Perrys Stamina
3. Memphis D Nasty
4. Wagon Full of Gold
5. Carters Last Straw
6. Hot Authorization
7. Win Rabbits Fly

Unplaced "Boxwineizfine"

During said time of applicable suspension, Jose Luis Muela 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 Jose Luis Muela 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 in violation of: 15.2.6.9(C)(1-2-3) NMAC: prima facie evidence/ 15.2.6.9(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules" 15.2.6.9. B. Penalty recommendations Trainer First Lifetime offense (365-day period) in any jurisdiction: A minimum 15-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 60-day suspension. A minimum fine of \$500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a \$1,000 fine Owner Second Lifetime offense (365-day period) in any jurisdiction: Disqualification, loss of purse (in the absence of mitigating circumstances)* and horse must pass a commission-approved examination before becoming eligible to be entered. Owner Third Lifetime offense Disqualification, loss of purse, and in the absence of mitigating circumstances a \$5,000 fine* and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered ***This ruling is written in accordance with*** 15.2.6.11(A) NMAC: Trainer Responsibility/ 16.47.1.10(B)(1) NMAC: Absolute Insurer/ 15.2.3.8(B)(3)(k) NMAC: Redistribution of purses/ 15.2.5.13(E)(4)(d) NMAC: Stewards Authority/ 15.2.3.8 B (3)(f) 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)(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
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SUN-93
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: SANCHEZ, ROY ULISSES

License Type: 2014 3 Year Owner Applicant Id: 86364
Date of Birth: 01/07/1995 License Number: 142618

Ruling # 2017-SUN-93

Action Type: Initial Ruling

Ruling:

Luis Hernandez and Regal Racing (Roy Sanchez) having been duly notified and having appeared before the Board of Stewards on January 27, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in horse "Boxwineizfine" (Test Sample #: NM21890), who finished first place in the 10th race on December 11, 2016, at Zia Park Racetrack in Hobbs, NM. Clenbuterol was confirmed in the split sample sent to Texas A&M on January 10, 2017.

Jose Luis Muela, the trainer of record for horse "Boxwineizfine", was duly notified and appeared for this hearing. In accordance with rules 15.2.6.9 (C)(2)(b) and 15.2.1.9(B)(4)(d), this is Mr. Muela's FIRST Class 3B medication violation in a 365-day period

For this THIRD Class 3B medication violation in a 365- day period(refer to rulings 2016-RUI-68 and 2016-ZIA-106) issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed Regal Racing (Roy Sanchez) a penalty as follows.

1. (\$5,000) five thousand dollar fine to paid on or before **March 13, 2017**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.
2. Pursuant to rules 15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(C)(7),the horse "**Boxwineizfine**" is placed on the Stewards list for a period of 60 days (beginning **December 23, 2016**). During this period the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
3. The horse "**Boxwineizfine**" is placed in the on the veterinarian's list for 45 days starting **February 11, 2017, through March 28, 2017, inclusive**, and must pass a commission-approved examination before becoming eligible to be entered.
4. The horse "**Boxwineizfine**" is hereby disqualified from **FIRST PLACE** and ordered unplaced from the **10th race on December 11, 2016, at Zia Park Racetrack in Hobbs, for all but pari-mutuel wagering. The purse redistribution is as follows.**
 1. Apollitical Sign
 2. Perrys Stamina
 3. Memphis D Nasty
 4. Wagon Full of Gold
 5. Carters Last Straw
 6. Hot Authorization
 7. Win Rabbits Fly

Unplaced "**Boxwineizfine**"

Licensee is found in violation of: 15.2.6.9(C)(1-2-3) NMAC: prima facie evidence/ 15.2.6.9(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules" 15.2.6.9. B. Penalty recommendations Owner Third Lifetime offense Disqualification, loss of purse, and in the absence of mitigating circumstances a \$5,000 fine* and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered. This ruling is written in accordance with /15.2.3.8(B)(3)(k) NMAC: Redistribution of purses/ 15.2.5.13(E)(4)(d) NMAC: Stewards Authority/ 15.2.3.8 B (3)(f) 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)(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."

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SUN-94
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: HERNANDEZ, JOSE LUIS

License Type: 2015 3 Year Owner Applicant Id: 157502
Date of Birth: 09/15/1974 License Number: 277722

Ruling # 2017-SUN-94

Action Type: Initial Ruling

Ruling:

Luis Hernandez having been duly notified and having responded telephonically before the Board of Stewards on January 27, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in horse "Boxwineizfine" (Test Sample #: NM21890), who finished first place in the 10th race on December 11, 2016, at Zia Park Racetrack in Hobbs, NM. Clenbuterol was confirmed in the split sample sent to Texas A&M on January 10, 2017.

Jose Luis Muela, the trainer of record for horse "Boxwineizfine", was duly notified and appeared for this hearing. In accordance with rules 15.2.6.9 (C)(2)(b), this is Mr. Muela's FIRST Class 3B medication violation in a 365-day period

For this SECOND Class 3B medication violation in a 365- day period(refer to ruling 2016-ZIA-147) issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed Luis Hernandez a penalty as follows.

1. Pursuant to rules 15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(C)(7),the horse "Boxwineizfine" is placed on the Stewards list for a period of 60 days (beginning December 23, 2016). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
2. The horse "Boxwineizfine" is hereby disqualified from FIRST PLACE and ordered unplaced from the 10th race on December 11, 2016, at Zia Park Racetrack in Hobbs, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Apollitical Sign
2. Perrys Stamina
3. Memphis D Nasty
4. Wagon Full of Gold
5. Carters Last Straw
6. Hot Authorization
7. Win Rabbits Fly

Unplaced "Boxwineizfine"

Licensee is found in violation of: 15.2.6.9(C)(1-2-3) NMAC: prima facie evidence/ 15.2.6.9(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules" 15.2.6.9. B. Penalty recommendations Trainer First Lifetime offense (365-day period) in any jurisdiction: A minimum 15-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 60-day suspension. A minimum fine of \$500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a \$1,000 fine Owner Second Lifetime offense (365-day period) in any jurisdiction: Disqualification, loss of purse (in the absence of mitigating circumstances)* and horse must pass a commission-approved examination before becoming eligible to be entered. This ruling is written in accordance with / 15.2.3.8(B)(3)(k) NMAC: Redistribution of purses/ 15.2.5.13(E)(4)(d) NMAC: Stewards Authority/ 15.2.3.8 B (3)(f) 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)(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."

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SUN-95
Track Sunland Park
Ruling Date: 2/11/2017

Licensee: MARQUEZ, JESUS ELIAS

License Type: 2016 3 Year Trainer Applicant Id: 33006
Date of Birth: 12/03/1978 License Number: 284465

Ruling # 2017-SUN-95

Action Type: Initial Ruling

Ruling:

Trainer Jesus E. Marquez, having been duly notified and having waived his right to a 10 day notice and a formal hearing before the Board of Stewards on **February 10, 2017**, regarding a security citation for working an unlicensed groom in the paddock during the **4th race on January 27, 2017, at Sunland Park Racetrack.**

The Board of Stewards assessed **Jesus E. Marquez** a penalty in the amount of **two hundred dollars (\$200).** The fine is to be paid on or before **March 13, 2017**, 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:

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".

This Ruling is written in accordance with:

15.2.3.8 B (3)(f) 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 Sunland 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
Albuquerque, NM 87113

Ruling #: 2017-SUN-96
Track Sunland Park
Ruling Date: 2/12/2017

Licensee: ROCHABRUN, JOHN ERICK
License Type: 2014 3 Year Duplicate Applicant Id: 33586
Date of Birth: 11/09/1984 License Number: 163304

Ruling # 2017-SUN-96

Action Type: Initial Ruling

Ruling:

The Jockey license issued to JOHN ERICK ROCHABRUN, is hereby rescinded without prejudice as he appeared before the Board of Stewards on February 11, 2017, and stated that he is no longer working in that capacity. Mr. Rochabrun has been issued an Veterinarian Assistant and Exercise Riders license.

This ruling is in accordance with:

16.47.1.8 (M)(2) NMAC: Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license".

15.2.3.8 B (3)(f) 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 Sunland 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
Albuquerque, NM 87113

Ruling #: 2017-SUN-97
Track Sunland Park
Ruling Date: 2/12/2017

Licensee: RODGERS, PAULA COLETTE
License Type: 2016 1 Year Placing Ju Applicant Id: 8196
Date of Birth: 07/28/1964 License Number: 283751

Ruling # 2017-SUN-97

Action Type: Initial Ruling

Ruling:

The **Placing Judge license** issued to **Paula Rodgers**, is hereby rescinded without prejudice as he appeared before the Board of Stewards on **February 11, 2017**, and stated that she is no longer working in that capacity. **Mrs. Rodgers has been issued an Veterinarian Assistant license.**

This ruling is in accordance with:

16.47.1.8 (M)(2) NMAC: Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license".

15.2.3.8 B (3)(f) 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 Sunland 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
Albuquerque, NM 87113

Ruling #: 2017-SUN-98
Track Sunland Park
Ruling Date: 2/12/2017

Licensee: TORRES, DANIEL ANTONIO
License Type: 2016 3 Year Jockey Applicant Id: 30001
Date of Birth: 07/08/1992 License Number: 284153

Ruling # 2017-SUN-98

Action Type: Initial Ruling

Ruling:

Jockey, Daniel Torres, having been duly notified and having responded telephonically before the Board of Stewards on **February 12, at Sunland Park**, for failing to disclose criminal/arrest history on his licensing application.

For this violation, the Board of Stewards issue **Daniel Torres** a penalty of the following:

A revocation of any/all New Mexico Racing Commission licenses, effective immediately **February 12, 2017**, and is referred to the New Mexico Racing Commission for their further review prior to any further application.

During said time of suspension **Daniel Torres** 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.

Licensee is found to be in violation of:

16.47.1.8 (L)(1) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) 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."

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2017-SUN-99
Track Sunland Park
Ruling Date: 2/12/2017

Licensee: PADILLA, JR RAMON

License Type: 2016 1 Year Groom Applicant Id: 159452
Date of Birth: 03/11/1990 License Number: 284283

Ruling # 2017-SUN-99

Action Type: Initial Ruling

Ruling:

Groom, Ramon Padilla Jr., having been duly notified, having failed to appear, and had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **February 12, at Sunland Park**, for failing to disclose criminal/arrest history on his licensing application.

For this violation, the Board of Stewards issue **Ramon Padilla Jr.** a penalty of the following:

A revocation of any/all New Mexico Racing Commission licenses, effective immediately **February 12, 2017**, and is referred to the New Mexico Racing Commission for their further review prior to any further application.

During said time of suspension **Ramon Padilla Jr.** 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.

Licensee is found to be in violation of:

16.47.1.8 (L)(1) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) 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 Sunland 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
Albuquerque, NM 87113

Ruling #: 2017-SUN-100
Track Sunland Park
Ruling Date: 2/12/2017

Licensee: ESCAMILLA, RAYMOND

License Type: 2016 1 Year Concessio Applicant Id: 159466

Date of Birth: 03/12/1988 License Number: 284361

Ruling # 2017-SUN-100

Action Type: Initial Ruling

Ruling:

Concession Employee, Raymond Escamilla, having been duly notified and having appeared before the Board of Stewards on February 12, 2017 at Sunland Park Racetrack, for failing to disclose criminal/arrest history on his licensing application.

This ruling has mitigating circumstances: For this violation, the Board of Stewards assessed Raymond Escamilla fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before March 14, 2017 in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

Licensee is found to be in violation of:

16.47.1.8 (L)(1) GROUND FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) 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 Sunland 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
Albuquerque, NM 87113

Ruling #: 2017-SUN-101
Track Sunland Park
Ruling Date: 2/12/2017

Licensee: CASTILLO, MIGUEL

License Type: 2016 3 Year Trainer Applicant Id: 29551
Date of Birth: 05/29/1985 License Number: 283920

Ruling # 2017-SUN-101

Action Type: Initial Ruling

Ruling:

Trainer Miguel Castillo having been duly notified, having failed to appear, and had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **February 12, 2017**, for depositing a protection claim for horse "**Major Bites**" in the **2nd race on December 17, 2016 at Sunland Park Racetrack**.

Aggravating Circumstances: Miguel Castillo deposited a personal check with the Horseman's Bookkeeper, in the full amount of the claiming price, into the account of Luis C. Quintana to claim the horse "Major Bites" to be trained by trainer, Jesus E. Marquez (who was under a suspension) (*violation of rules 15.2.4.8(E)(1)(2)(3)(4)*). According to Stable Gate Authorization Forms, Miguel Castillo retained custody and left the stable gates with horse "Major Bites" after the 2nd race on December 17, 2016 (*Violation of rule 15.2.4.8(G)(7)*). Also, on January 7, 2017, Investigator Johnson found the horse "Major Bites" in the care and custody of Miguel Castillo (*Violation of rule 15.2.4.8(G)(7)*).

Considering the aggravating circumstances, for this violation the Board of Stewards assessed Miguel Castillo a penalty as follows:

1. **A 6 month suspension** of all NMRC licenses starting February 23, 2017, through August 23, 2017, inclusive.
2. A **(\$5,000) five thousand dollar fine to paid on or before March 15, 2017**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

During said time of applicable suspension, Miguel Castillo 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 Miguel Castillo 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:

15.2.4.8(E) (1)(2)(3)(4) Claiming Races Prohibitions

15.2.4.8(G) (7) Transfer of Claimed Horses

16.47.1.7(L)(i) Grounds for Disciplinary Measures For A Licensee, and Refusal, Denial, Suspension, or Revocation of A License; Conduct Detrimental To Horse Racing.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action/ 15.2.3.8 B (1) (d) Stewards General Authority/ 16.47.1.8. T. KNOWLEDGE OF

RULE/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

Address15.2.1.9(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
Albuquerque, NM 87113

Ruling #: 2017-SUN-102
Track Sunland Park
Ruling Date: 2/12/2017

Licensee: MARQUEZ, JESUS ELIAS

License Type: 2016 3 Year Trainer Applicant Id: 33006
Date of Birth: 12/03/1978 License Number: 284465

Ruling # 2017-SUN-102

Action Type: Initial Ruling

Ruling:

Trainer **Jesus E. Marquez** having been duly notified, having failed to appear, and had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **February 12, 2017**, for his involvement in a protection claim for horse "**Major Bites**", in the **2nd race on December 17, 2016 at Sunland Park Racetrack**.

For this violation the Board of Stewards assessed **Jesus E. Marquez** a penalty as follows:

1. **A 6 month suspension** of all NMRC licenses starting February 23, 2017, through August 23, 2017, inclusive.
2. A (\$2,500) two thousand and five hundred dollar fine to paid on or before **March 15, 2017**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

During said time of applicable suspension, **Jesus E. Marquez** 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 E. Marquez** 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:

15.2.4.8(E) (1)(2)(3)(4) Claiming Races Prohibitions

15.2.4.8(G) (7) Transfer of Claimed Horses

16.47.1.7(L)(i) Grounds for Disciplinary Measures For A Licensee, and Refusal, Denial, Suspension, or Revocation of A License; Conduct Detrimental To Horse Racing.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action/ 15.2.3.8 B (1) (d) Stewards General Authority/ 16.47.1.8.

T. KNOWLEDGE OF RULE/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 Address15.2.1.9(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
Albuquerque, NM 87113

Ruling #: 2017-SUN-103
Track Sunland Park
Ruling Date: 2/12/2017

Licensee: QUINTANA, LUIS CARLOS

License Type: 2015 3 Year Owner Applicant Id: 29160
Date of Birth: 01/24/1976 License Number: 277247

Ruling # 2017-SUN-103

Action Type: Initial Ruling

Ruling:

Owner **Luis C. Quintana** having been duly notified and having responded telephonically before the Board of Stewards on **February 12, 2017**, for his involvement in a protection claim for horse "**Major Bites**", in the **2nd race on December 17, 2016 at Sunland Park Racetrack.**

For this violation the Board of Stewards assessed **Luis C. Quintana** a penalty as follows:

1. **A 6 month suspension** of all NMRC licenses starting February 23, 2017, through August 23, 2017, inclusive.
2. A (\$2,500) two thousand and five hundred dollar fine to paid on or before **March 15, 2017**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

During said time of applicable suspension, Luis C. Quintana 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 by Luis C. Quintana 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:

15.2.4.8(E) (1)(2)(3)(4) Claiming Races Prohibitions

15.2.4.8(G) (7) Transfer of Claimed Horses

16.47.1.7(L)(i) Grounds for Disciplinary Measures For A Licensee, and Refusal, Denial, Suspension, or Revocation of A License; Conduct Detrimental To Horse Racing.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action/ 15.2.3.8 B (1) (d) Stewards General Authority/ 16.47.1.8.

T. KNOWLEDGE OF RULE/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 Address15.2.1.9(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
Albuquerque, NM 87113

Ruling #: 2017-SUN-104
Track Sunland Park
Ruling Date: 2/12/2017

Licensee: CASTILLO, MIGUEL

License Type: 2016 3 Year Trainer Applicant Id: 29551
Date of Birth: 05/29/1985 License Number: 283920

Ruling # 2017-SUN-104

Action Type: Initial Ruling

Ruling:

Trainer Miguel Castillo having been duly notified, having failed to appear, and had his hearing held in absentia, in accordance with rule 15.2.1.9(B)(4)(d), before the Board of Stewards on February 12, 2017, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the prohibited Class 3B drug "clenbuterol" detected in horse "Major Bites" (test sample #NC26319) during Out Of Competition Testing on January 7, 2017, at Sunland Park Racetrack in Sunland Park NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Miguel Castillo. For this First Class 3B medication violation issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed Miguel Castillo a penalty as follows.

- 1. A 30 day suspension of all NMRC licenses starting consecutively from ruling 2017-SUN-101, August 24, 2017, through September 23, 2017, inclusive.**
- 2. (\$750) seven hundred and fifty dollar fine to paid on or before March 15, 2017, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.**
- 3. Pursuant to rules 15.2.6.9(D)(5)(c), 15.2.6.9 (D)(6), and 15.2.6.9(D)(7), the horse "Major Bites" was placed on the Stewards list for a period of 60 days (beginning January 21, 2017). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.**

During said time of applicable suspension, Miguel Castillo 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 Miguel Castillo 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 in violation of

15.2.6.9(C)(1-2-3) NMAC: prima facie evidence

15.2.6.9(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules"

15.2.6.9 J (1-6) OUT OF COMPETITION TESTING:

15.2.6.9. B. Penalty recommendations

This ruling is written in accordance with

15.2.6.11(A) NMAC: Trainer Responsibility

and 16.47.1.10(B)(1) NMAC: Absolute Insurer

15.2.3.8 B (3)(f) 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."