



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-221
Track Sunland Park
Ruling Date: 4/6/2018

Licensee: PARGA-LEOS, JAIME

License Type: 2017 3 Year Jockey Applicant Id: 30593
License Number: 284865

Ruling # 2018-SUN-221

Action Type: Initial Ruling

Ruling:

Jockey **Jaime Parga Leos**, was summoned **and appeared** before the Board of Stewards on **April 6, 2018**, for careless riding during the running of the **10th race on March 31, 2018, at Sunland Park Racetrack, while aboard "FLASHIN THE FAST LANE", which resulted in his mount being disqualified from 6th place to 9th place. (Drifted out forcing the outside horses into the hindquarters of the #8, tipping the #8 in.)**

For this violation, the Board of Stewards assessed **Jaime Parga Leos**, a suspension of **7 calendar days (April 14, 2018, through April 20, 2018)**. **Jaime Parga Leos** is allowed to ride designated races.

Licensee is found in violation of and this ruling is written in accordance with:

15.2.5.13(E)(2)(a) Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

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

15.2.5.13(E)(3)(c) NMAC: Post to Finish 15.2.5.13(E)(3)(d) NMAC: Post to Finish 15.2.5.13(E)(4)(a)

NMAC Disqualification./15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys/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 /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-222
Track Sunland Park
Ruling Date: 4/6/2018

Licensee: GOMEZ, ENRIQUE PORTILLO

License Type: 2017 3 Year Jockey Applicant Id: 32586
License Number: 287713

Ruling # 2018-SUN-222

Action Type: Initial Ruling

Ruling:

Jockey **Enrique Portillo Gomez**, was summoned and appeared before the Board of Stewards on **April 6, 2018**, for **misuse of whip**, while aboard "**Wild Hurricane**" in the **10th race on April 3, 2018, at Sunland Park Racetrack**. (Mid-stretch, struck the #11 in face. The #11 beat the #10.)

The Board of Stewards hereby fine **Enrique Portillo Gomez** in the amount of **three hundred dollars, (\$300.00)**. This fine is to be paid on or before **May 7, 2018**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

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

15.2.5.13(E)(2)(b) Post to Finish No jockey shall carelessly or willfully jostle, strike or touch another jockey or another jockey's horse or equipment.

15.2.1.9(B)(4)(A) Notice for Jockeys Except as provided by these rules regarding summary suspension, jockey riding infractions and trial races, the stewards or a racing commission designee shall provide written notice, at least 10 days before the hearing, to a person who is the subject of a disciplinary hearing. The person may waive their right to 10 days notice by executing a written waiver.

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 /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a) Failure to Appeal/ 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 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.

Scott Smith

John Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-223
Track Sunland Park
Ruling Date: 4/6/2018

Licensee: RODRIGUEZ, LUIS RAMON

License Type: 2015 3 Year Jockey Applicant Id: 2581
License Number: 279377

Ruling # 2018-SUN-223

Action Type: Initial Ruling

Ruling:

Jockey Luis Ramon Rodriguez was duly notified **and appeared** before the Board of Stewards on **April 6, 2018**, for standing up before the wire, which resulted in his mount **"Fly Lady Fly"** not achieving optimal placing in the **3rd race on April 3, 2018, at Sunland Park.**

The Board of Stewards hereby fines Luis Ramon Rodriguez in the amount of **five hundred dollars, (\$500.00).** This fine is to be paid on or before **May 7, 2018**, in accordance with **15.2.3.8 (B)(3)(I).** Failure to pay the fine within the time prescribed may result in immediate suspension.

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

15.2.5.13(E)(5) A Jockey shall not ease up, or coast to the finish, without adequate cause, even if a horse has no apparent chance to win prize money.
15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys
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 /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 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 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.

Twisted Smiles

Jim Carter



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-224
Track Sunland Park
Ruling Date: 4/6/2018

Licensee: MARTINEZ, EDGAR S

License Type: Applicant Id: 35567
License Number:

Ruling # 2018-SUN-224

Action Type: Initial Ruling

Ruling:

Jockey Edgar S. Martinez, was summoned **and appeared** before the Board of Stewards **on April 6, 2018**, for careless riding during the running of the **7th race on March 30, 2018, at Sunland Park Racetrack**, while **aboard "Passemupjesse"**, **which resulted in his mount being disqualified from 1st place to 5th place.**

For this violation, the Board of Stewards assessed Edgar S. Martinez, a suspension of **7 calendar days (April 14, 2018, through April 20, 2018).** Edgar S. Martinez is allowed to ride designated races.

Licensee is found in violation of and this ruling is written in accordance with:

15.2.5.13(E)(2)(a) Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

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

15.2.5.13(E)(3)(c) NMAC: Post to Finish 15.2.5.13(E)(3)(d) NMAC: Post to Finish 15.2.5.13(E)(4)(a)

NMAC Disqualification./15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys/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 /16.47.1.8(N) Last Known Address/

16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-225
Track Sunland Park
Ruling Date: 4/7/2018

Licensee: SALCEDO, MAURO

License Type: 2017 1 Year Duplicate Applicant Id: 137075
License Number: 284667

Ruling # 2018-SUN-225

Action Type: Initial Ruling

Ruling:

Jockey **Mauro Salcedo** was summoned **and appeared** before the Board of Stewards **on April 7, 2018**, for careless riding during the running of the **9th race on April 6, 2018, at Sunland Park Racetrack**, while **aboard "Big Sierra Cartel"**, which **resulted in his mount being disqualified from 1st place to 10th place. (Bore out forcing the outside horses into the hindquarters of the #8, tipping the #8 in.)**

For this violation, the Board of Stewards assessed **Mauro Salcedo**, a suspension of **7 calendar days (April 15, 2018, through April 21, 2018)**. **Mauro Salcedo** is allowed to ride designated races.

Licensee is found in violation of and this ruling is written in accordance with:

15.2.5.13(E)(2)(a) Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

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

15.2.5.13(E)(3)(c) NMAC: Post to Finish 15.2.5.13(E)(3)(d) NMAC: Post to Finish 15.2.5.13(E)(4)(a)

NMAC Disqualification./15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys/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 /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-226
Track Sunland Park
Ruling Date: 4/7/2018

Licensee: MERCADO, GARY JAVIER
License Type: 2018 1 Year Other - Gr Applicant Id: 7937
License Number: 288814

Ruling # 2018-SUN-226
Action Type: Initial Ruling
Ruling:

Group E Licensee, Gary J. Mercado, was duly notified and appeared before the Board of Stewards **on April 6, 2018**, for failing to disclose **his** criminal history on **his** license application **dated January 10, 2018**.

After considering the mitigating circumstances, the Board of Stewards hereby issues a warning letter to **Gary J. Mercado**. Furthermore, **Gary J. Mercado** was allowed to submit an amended application and advised to disclose **his** full criminal/arrest record on any future licensing applications.

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

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

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 /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 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 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 #: 2018-SUN-227
Track Sunland Park
Ruling Date: 4/7/2018

Licensee: MARTINEZ, EDGAR S

License Type: 2016 3 Year Jockey Applicant Id: 35567
License Number: 283678

Ruling # 2018-SUN-227

Action Type: Initial Ruling

Ruling:

Jockey Edgar S. Martinez was duly notified and appeared for a hearing before the Board of Stewards on April 6, 2018. The hearing was in regard to Edgar S. Martinez failing to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagement, entry "RUNAWAYRICK" in the 9th race on March 4, 2018, at Sunland Park Racetrack.

The Board of Stewards hereby fines Edgar S. Martinez in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before May 7, 2018, 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 and this ruling written in accordance with:

15.2.5.13(C)(1) 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."

5.2.5.13(C)(3) 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."

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys 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 /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 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 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.

Victor Amador

John Chis

For Walk



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-228
Track Sunland Park
Ruling Date: 4/7/2018

Licensee: ORNELAS, GERARDO

License Type: 2018 1 Year Owner Applicant Id: 160676
License Number: 288777

Ruling # 2018-SUN-228

Action Type: Initial Ruling

Ruling:

Owner, Gerardo Ornelas, was duly notified and appeared before the Board of Stewards on **April 7, 2018, at Sunland Park Racetrack**, for failing to disclose **his** criminal history on his licensing application.

The Board of Stewards hereby issues the immediate suspension of any/all New Mexico Racing Commission licenses (effective immediately **April 7, 2018**). Furthermore, **Gerardo Ornelas** must appear before the New Mexico Racing Commission for their further review prior to any further application

During said time of applicable suspension **Gerardo Ornelas** 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 by or under the care of Gerardo Ornelas 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 by or in the care and custody of **Gerardo Ornelas** must done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances** and **15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

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

16.47.1.8 (L)(1)(a) GROUNDS FOR DISCIPLINARY MEASURES. 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 has been convicted of a felony.

16.47.1.8 (L)(1)(b) GROUNDS FOR DISCIPLINARY MEASURES 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 has been convicted of violating any law regarding gambling or a controlled dangerous substance.

16.47.1.8 (L)(1)(d) GROUNDS FOR DISCIPLINARY MEASURES 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 has failed to disclose or falsely states any information required in the application;

16.47.1.8 (L)(1)(i) – CONDUCT Which states in pertinent part "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing"

15.2.3.8 (B)(3)(g) STEWARDS AUTHORITY The stewards may order that a person be ineligible for licensing; or they may deny a license to an applicant on grounds set forth in the act or these rules.

15.2.3.8 (B)(3)(j) REFER TO THE COMMISSION The stewards may refer any matter to the commission and may include recommendations for disposition. The absence of a steward's referral shall not preclude commission action in any matter

16.47.1.8(L)(2) Written Notice Of Suspension Or Revocation To Licensee And Other Jurisdictions

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 /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 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

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Jeff Carter

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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-229
Track Sunland Park
Ruling Date: 4/8/2018

Licensee: AMESTOY, ROSS A.

License Type: 2016 3 Year Trainer Applicant Id: 16643
License Number: 280897

Ruling # 2018-SUN-229

Action Type: Initial Ruling

Ruling:

Trainer **Ross Amestoy** was duly notified and waived his rights to a formal hearing before the Board of Stewards on **April 7, 2018**. The hearing was in regard to a confirmed positive for the therapeutic drug Betamethasone (class 4 penalty category C major drug) found in test sample **NM29849** taken from the **2nd place finisher "Ice Patrol"** following **the 7th race, on January 7, 2018, at Sunland Park Racetrack in Sunland Park, NM.**

The original lab report indicated a finding of **Betamethasone at a level of 136 pg/ml in the blood**, the allowable limit for **Betamethasone is 10 pg/ml in the blood (15.2.6.9 Attachment#2)**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Ross Amestoy**.

Mike Abraham, Pierre Amestoy and Leslie Amestoy, the owners of record for horse **"Ice Patrol"**, were duly notified and failed to appear for their hearing. In accordance with **15.2.6.9(B)(4) PENALTY RECOMMENDATIONS**, this is **Mike Abraham's THIRD Class 4C MAJOR medication violation in a 365- day period and Pierre Amestoy and Leslie Amestoy's FOURTH Class 4C MAJOR medication violation in a 365- day period.**

For Ross Amestoy's FOURTH Class 4C MAJOR medication violation in a 365 day period, issued in accordance with 15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS, the Board of Stewards hereby assess penalty as follows:

- 1. A (\$2,500) two thousand and five hundred dollar fine to paid on or before May 8, 2018, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay fine in prescribed time may result in an immediate suspension.**
- 2. A 45 day suspension of all NMRC licenses to run consecutively from ruling 2018-SUN-138, April 28, 2018, through June 11, 2018, inclusive.**

During said time of applicable suspension Ross Amestoy 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, trained, or under the care of Ross Amestoy 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 by or in the care and custody of Ross Amestoy must done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.

Licensee is found to be in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(a)(f)(g)(j) Stewards/ 15.2.6.9 medications and prohibited substances/ 15.2.6.9(B)(4)(e) medications and prohibited substances/ 15.2.6.9(C)(1) medications and prohibited substances/ 15.2.6.11(A)(B) Trainer Responsibility/ 16.47.1.10(B)(1-3) Absolute Insurer/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses/ **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

Direct Amestoy *John Carter*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-230
Track Sunland Park
Ruling Date: 4/8/2018

Licensee: ABRAHAM, MIKE C

License Type: Applicant Id: 26259
License Number:

Ruling # 2018-SUN-230

Action Type: Initial Ruling

Ruling:

Owner Mike Abraham was duly notified, failed to appear, and had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board of Stewards on March 6, 2018. The hearing was in regard to a confirmed positive for the therapeutic drug Betamethasone (class 4 penalty category C major drug) found in test sample NM29849 taken from the 2nd place finisher "Ice Patrol" following the 7th race, on January 7, 2018, at Sunland Park Racetrack in Sunland Park, NM.

The original lab report indicated a finding of Betamethasone at a level of 136 pg/ml in the blood, the allowable limit for Betamethasone is 10 pg/ml in the blood (15.2.6.9 Attachment#2). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer Ross Amestoy.

Pierre Amestoy and Leslie Amestoy, the co-owners of record for horse "Ice Patrol", were duly notified and failed to appear for their hearing. In accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is their FOURTH Class 4C MAJOR medication violation in a 365- day period .

Ross Amestoy, the trainer of record for horse "Ice Patrol", was duly notified and waived his rights to a formal hearing. In accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Ross Amestoy's FOURTH Class 4C MAJOR medication violation in a 365- day period .

For Mike Abraham's THIRD Class 4C MAJOR medication violation in a 365- day period, issued in accordance with 15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS, the Board of Stewards hereby assess penalty as follows:

1. A (\$5,000) five thousand dollar fine (to be equally divided, \$1,666.67 each) to paid on or before May 8, 2018, in accordance with 15.2.3.8 (B)(3)(i) NMAC. Failure to pay fine in prescribed time may result in an immediate suspension.
2. The horse "Ice Patrol" must pass a commission approved veterinary examination before being eligible to enter.
3. The horse "Ice Patrol" is hereby disqualified from SECOND PLACE and ordered unplaced from the 7th race, on January 7, 2018, at Sunland Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.
 1. Streakin Dome
 2. Whoop Whoop
 3. Siabological Mile
 4. Accompany
 5. Classy Homewrecker
 6. Darshini
 7. Fortyfoursmokeless
 8. El Gigante
 9. Stormy Dani

Unplaced "Ice Patrol"

Licensee is found to be in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(a)(f)(g)(j) Stewards/ 15.2.6.9 medications and prohibited substances/ 15.2.6.9(B)(4)(e) medications and prohibited substances/ 15.2.6.9(C)(1) medications and prohibited substances/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses/ 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-231
Track Sunland Park
Ruling Date: 4/8/2018

Licensee: AMESTOY, LESLIE ANN

License Type: 2017 3 Year Owner Applicant Id: 25800
License Number: 284886

Ruling # 2018-SUN-231

Action Type: Initial Ruling

Ruling:

Owner **Leslie Amestoy** was duly notified, failed to appear, and had **her** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, before the Board of Stewards on **March 6, 2018**. The hearing was in regard to a confirmed positive for the therapeutic drug Betamethasone (class 4 penalty category C major drug) found in test sample **NM29849** taken from the **2nd place finisher "Ice Patrol"** following **the 7th race, on January 7, 2018, at Sunland Park Racetrack in Sunland Park, NM.**

The original lab report indicated a finding of **Betamethasone at a level of 136 pg/ml in the blood**, the allowable limit for **Betamethasone is 10 pg/ml in the blood (15.2.6.9 Attachment#2)**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer **Ross Amestoy**.

Pierre Amestoy and Mike Abraham, the co-owners of record for horse **"Ice Patrol"**, were duly notified and failed to appear for their hearing. In accordance with **15.2.6.9(B)(4) PENALTY RECOMMENDATIONS**, this is **Pierre Amestoy's FOURTH Class 4C MAJOR medication violation in a 365- day period and Mike Abraham's THIRD Class 4C MAJOR medication violation in a 365- day period.**

Ross Amestoy, the **trainer** of record for horse **"Ice Patrol"**, was duly notified and waived his rights to a formal hearing. In accordance with **15.2.6.9(B)(4) PENALTY RECOMMENDATIONS**, this is **Ross Amestoy's FOURTH Class 4C MAJOR medication violation in a 365- day period .**

For Leslie Amestoy's FOURTH Class 4C MAJOR medication violation in a 365- day period, issued in accordance with 15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS, the Board of Stewards hereby assess penalty as follows:

1. A (\$5,000) five thousand dollar fine (to be equally divided, \$1,666.67 each) to paid on or before **May 8, 2018**, in accordance with **15.2.3.8 (B)(3)(i) NMAC**. Failure to pay fine in prescribed time may result in an immediate suspension.
2. The horse **"Ice Patrol"** must pass a commission approved veterinary examination before being eligible to enter.
3. The horse **"Ice Patrol"** is hereby disqualified from **SECOND PLACE** and ordered unplaced from the **7th race, on January 7, 2018, at Sunland Park Racetrack**, for all but pari-mutuel wagering. The purse redistribution is as follows.
 1. Streakin Dome
 2. Whoop Whoop
 3. Siabolical Mile
 4. Accompany
 5. Classy Homewrecker
 6. Darshini
 7. Fortyfoursmokeless
 8. El Gigante
 9. Stormy Dani Unplaced **"Ice Patrol"**

Licensee is found to be in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(a)(f)(g)(j) Stewards/ 15.2.6.9 medications and prohibited substances/15.2.6.9(B)(4)(e) medications and prohibited substances/15.2.6.9(C)(1) medications and prohibited substances/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses **15.2.1.9(B)(b): Appeal Procedures** An appeal under this section must be filed not later than 10 days after the date of the ruling.

Leslie Amestoy

Ross Amestoy



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-232
Track Sunland Park
Ruling Date: 4/8/2018

Licensee: AMESTOY, PIERRE JEAN

License Type: 2017 3 Year Owner Applicant Id: 29594
License Number: 284885

Ruling # 2018-SUN-232

Action Type: Initial Ruling

Ruling:

Owner **Pierre Amestoy** was duly notified, failed to appear, and had **her** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, before the Board of Stewards on **March 6, 2018**. The hearing was in regard to a confirmed positive for the therapeutic drug Betamethasone (class 4 penalty category C major drug) found in test sample **NM29849** taken from the **2nd place finisher "Ice Patrol"** following **the 7th race, on January 7, 2018, at Sunland Park Racetrack in Sunland Park, NM.**

The original lab report indicated a finding of **Betamethasone at a level of 136 pg/ml in the blood**, the allowable limit for **Betamethasone is 10 pg/ml in the blood (15.2.6.9 Attachment#2)**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer **Ross Amestoy**.

Leslie Amestoy and Mike Abraham, the co-owners of record for horse "**Ice Patrol**", were duly notified and failed to appear for their hearing. In accordance with **15.2.6.9(B)(4) PENALTY RECOMMENDATIONS**, this is **Leslie Amestoy's FOURTH Class 4C MAJOR medication violation in a 365- day period and Mike Abraham's THIRD Class 4C MAJOR medication violation in a 365- day period.**

Ross Amestoy, the **trainer** of record for horse "**Ice Patrol**", was duly notified and waived his rights to a formal hearing. In accordance with **15.2.6.9(B)(4) PENALTY RECOMMENDATIONS**, this is **Ross Amestoy's FOURTH Class 4C MAJOR medication violation in a 365- day period.**

For Pierre Amestoy's FOURTH Class 4C MAJOR medication violation in a 365- day period, issued in accordance with 15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS, the Board of Stewards hereby assess penalty as follows:

1. A (\$5,000) five thousand dollar fine (to be equally divided, \$1,666.67 each) to paid on or before **May 8, 2018**, in accordance with **15.2.3.8 (B)(3)(I) NMAC**. Failure to pay fine in prescribed time may result in an immediate suspension.
2. The horse "**Ice Patrol**" must pass a commission approved veterinary examination before being eligible to enter.
3. The horse "**Ice Patrol**" is hereby disqualified from **SECOND PLACE** and ordered unplaced from the **7th race, on January 7, 2018, at Sunland Park Racetrack**, for all but pari-mutuel wagering. The purse redistribution is as follows.
 1. Streakin Dome
 2. Whoop Whoop
 3. Siabological Mile
 4. Accompany
 5. Classy Homewrecker
 6. Darshini
 7. Fortyfoursmokeless
 8. El Gigante
 9. Stormy Dani Unplaced "**Ice Patrol**"

Licensee is found to be in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(a)(f)(g)(i) Stewards/ 15.2.6.9 medications and prohibited substances/15.2.6.9(B)(4)(e) medications and prohibited substances/15.2.6.9(C)(1) medications and prohibited substances/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses/15.2.1.9(B)(9)(b): Appeal Procedures. An appeal under this section must be filed not later than 10 days after the date of the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-233
Track Sunland Park
Ruling Date: 4/8/2018

Licensee: BOBROFF, JACQUELYN A

License Type: 2015 3 Year Jockey Applicant Id: 30189
License Number: 277956

Ruling # 2018-SUN-233

Action Type: Initial Ruling

Ruling:

Jockey JACQUELYN A BOBROFF was summoned and appeared for a hearing before the Board of Stewards on **April 7, 2018**. The hearing was in regard to **JACQUELYN A BOBROFF's** excessive use of the whip on his mount **"Eye Sea Hollywood"** during the running of the **3rd race on April 6, 2018, at Sunland Park Racetrack**.

The Board of Stewards hereby fines **JACQUELYN A BOBROFF** in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **May 8, 2018**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

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

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

15.2.1.9(B)(4)(A) Jockeys Notice of Hearing 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 /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal

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.

David Smith

[Signature]

Ron Walk



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-234
Track Sunland Park
Ruling Date: 4/8/2018

Licensee: VEGA, LORENZO

License Type: 2015 3 Year Trainer Applicant Id: 25821
License Number: 280295

Ruling # 2018-SUN-234

Action Type: Initial Ruling

Ruling:

Trainer Lorenzo Vega was duly notified represented by attorney Daniel Marquez before the Board of Stewards on April 7, 2018, for a hearing that was continued from February 13, 2018. The hearing was in regard to a certificate of analysis from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse "Tf Im That Guy" (Test Sample #: NM29778), who finished 1st place in the 11th race on December 31, 2017, at Sunland Park Racetrack in Sunland Park, NM. Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on February 6, 2018.

Victor Diaz, the owner of record for horse "Tf Im That Guy", was duly notified and represented by attorney Daniel Marquez for this hearing. This is Victor Diaz's SECOND Class 3B medication violation in a lifetime.

Finding of Facts:

- Lorenzo Vega was the Absolute Insurer and trainer of record at the time of the violation.
- "Tf Im That Guy" did participate in and won the 11th race on December 31, 2017, at Sunland Park Racetrack, with the prohibited drug "clenbuterol" in his system.
- Lorenzo Vega was afforded his due process by sending his split sample to Industrial Laboratories, where clenbuterol was confirmed in the sample.
- Clenbuterol is zero tolerance.
- Approximately 20 horses were sent to the test barn on December 31, 2017, at Sunland Park Racetrack. "Tf Im That Guy" was the only horse that tested positive for Clenbuterol or any other drug.

For Lorenzo Vega's FIRST Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. A 30 day suspension of all NMRC licenses starting April 18, 2018, through May 17, 2018 inclusive.
2. A (\$750.00) seven hundred and fifty dollar fine to paid on or before May 8, 2018, in accordance with 15.2.3.8 (B)(3)(l). Failure to pay fine in prescribed time may result in an immediate suspension.

During said time of applicable suspension Lorenzo Vega 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, trained, or under the care of Lorenzo Vega 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 by, owned by, or in the care and custody of Lorenzo Vega must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION. Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Trainer Responsibility/ 15.2.6.9(B)(2) Penalty Recommendations 15.2.1.9(B)(9)(b): Appeal Procedures An appeal under this section must be filed not later than 10 days after the date of the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-235
Track: Sunland Park
Ruling Date: 4/8/2018

Licensee: DIAZ, VICTOR MANUEL

License Type: 2015 3 Year Owner Applicant Id: 31474
License Number: 280294

Ruling # 2018-SUN-235

Action Type: Initial Ruling

Ruling:

Owner **Victor Diaz** was duly notified represented by attorney Daniel Marquez before the Board of Stewards **on April 7, 2018, for a hearing that was continued from February 13, 2018.** The hearing was in regard to a **certificate of analysis** from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse **"Tf Im That Guy" (Test Sample #: NM29778)**, who **finished 1st place in the 11th race on December 31, 2017, at Sunland Park Racetrack in Sunland Park, NM.** Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on **February 6, 2018.**

Lorenzo Vega, the trainer of record for horse **"Tf Im That Guy"**, was duly notified and represented by attorney Daniel Marquez for this hearing. This is **Lorenzo Vega's FIRST Class 3B medication violation in a lifetime.**

Victor Diaz's SECOND Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with **15.2.6.9 (B)(2) Penalty Recommendations** as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(7)(c) Positive Test Report, 15.2.6.9(C)(8) Positive Test List, 15.2.6.9(C)(9)(a-d)List Removal Requirements, the horse **"Tf Im That Guy"** is placed on the Stewards list for a period of 60 days (beginning **January 17, 2018**). 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 **"Tf Im That Guy"** is hereby disqualified from **FIRST PLACE** and ordered unplaced from the **11th race on December 31, 2017, at Sunland Park Racetrack**, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Once Over
2. Jessies First Down
3. Cobalt Creek
4. Marseille
5. De La Eagle
6. Jm Mister Destiny
7. Don Quixote

Unplaced **"Tf Im That Guy"**

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Trainer Responsibility/ 15.2.6.9(B)(2) 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.

Victor Diaz

John Smith

John Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-236
Track Sunland Park
Ruling Date: 4/8/2018

Licensee: ALVIDREZ, CARLOS O

License Type: 2017 3 Year Trainer Applicant Id: 31447
License Number: 285115

Ruling # 2018-SUN-236

Action Type: Initial Ruling

Ruling:

Trainer **Carlos Alvidrez** was duly notified represented by attorney Daniel Marquez for a hearing before the Board of Stewards on April 8, 2018. The hearing was in regard to a **certificate of analysis** from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse "**Tempting Colt**" (**Test Sample #: NM28635**), who finished 1st place in the 8th race on January 19, 2018, 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 the trainer **Carlos Alvidrez**.

Jaime Bujanda-Payan, the owner of record for horse "**Tempting Colt**", was duly notified and represented by attorney Daniel Marquez for this hearing. This is Jaime Bujanda-Payan's THIRD Class 3B medication violation in a lifetime.

Finding of Facts:

- **Carlos Alvidrez** was the Absolute Insurer and trainer of record at the time of the violation.
- "**Tempting Colt**" did participate in and won the 8th race on January 19, 2018, at Sunland Park Racetrack in Sunland Park, with the prohibited drug "clenbuterol" in his system.
- Clenbuterol is zero tolerance.
- The **certificate of analysis** from UC/Davis, detecting clenbuterol in sample **NM28635**, is Prima Facie Evidence which by definition is "evidence that, until its effect is overcome by other evidence, will suffice as proof of fact in issue" (15.2.1.7(P)(11) definitions beginning the letter "P").
- **Carlos Alvidrez** failed to request a split sample in 48 hours after being notified of the positive test. Per 15.2.6.10 (D)(2) Storage and shipment of split samples, failure to request a split sample shall be considered a positive test.

For Carlos Alvidrez's FIRST Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. A 30 day suspension of all NMRC licenses starting April 8, 2018, through May 7, 2018 inclusive.
2. A (\$750.00) seven hundred and fifty dollar fine to paid on or before May 8, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.

During said time of applicable suspension **Carlos Alvidrez** 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, trained, or under the care of Carlos Alvidrez 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 by, owned by, or in the care and custody of Carlos Alvidrez must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances** and **15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(i) Stewards/ 15.2.6.9(C)(1)(4) Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Trainer Responsibility/ 15.2.6.9(B)(2) 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."

Robert Smith

Julie Cathey



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-237
Track Sunland Park
Ruling Date: 4/8/2018

Licensee: BUJANDA-PAYAN, JAIME

License Type: 2016 3 Year Owner Applicant Id: 34399
License Number: 283634

Ruling # 2018-SUN-237

Action Type: Initial Ruling

Ruling:

Owner Jaime Bujanda-Payan was duly notified represented by attorney Daniel Marquez for a hearing before the Board of Stewards on April 8, 2018. The hearing was in regard to a certificate of analysis from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse "Tempting Colt" (Test Sample #: NM28635), who finished 1st place in the 8th race on January 19, 2018, 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 the trainer Carlos Alvidrez.

Carlos Alvidrez, the trainer of record for horse "Tempting Colt", was duly notified and represented by attorney Daniel Marquez for this hearing. This is Carlos Alvidrez's FIRST Class 3B medication violation in a lifetime.

For Jaime Bujanda-Payan's THIRD Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. A (\$5,000.00) five thousand dollar fine to paid on or before May 8, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.
2. Pursuant to rules 15.2.3.8 (B)(9)(a)(e) Stewards List, 15.2.6.9(C)(7)(c) Positive Test Report, 15.2.6.9(C)(8) Positive Test List, 15.2.6.9(C)(9)(a-d) List Removal Requirements, the horse "Tempting Colt" is placed on the Stewards list for a period of 60 days (beginning February 6, 2018). 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 "Tempting Colt" is hereby disqualified from FIRST PLACE and ordered unplaced from the 8th race on January 19, 2018, at Sunland Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Highest Return
2. Southern Temptation
3. Stoli Elit
4. Cool Cash 123
5. The Louisiana Rocket
6. Sweet Splenda
7. California Gurl
8. Fire N Dice
9. Frenemy

Unplaced "Tempting Colt"

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(1)(4) Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Trainer Responsibility/ 15.2.6.9(B)(2) Penalty Recommendations 15.2.1.9(B)(9)(b): **Appeal Procedures** WAn 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.

Dealt Amos

Julie Cathey



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-238
Track Sunland Park
Ruling Date: 4/8/2018

Licensee: VALENZUELA, GASTON FLORES

License Type: 2016 3 Year Trainer Applicant Id: 30556
License Number: 281583

Ruling # 2018-SUN-238

Action Type: Initial Ruling

Ruling:

Trainer Gaston Valenzuela was duly notified represented by attorney Daniel Marquez for a hearing before the Board of Stewards on April 8, 2018. The hearing was in regard to a certificate of analysis from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse "Expect A Storm" (Test Sample #: NM28574), who finished 1st place in the 8th race on January 13, 2018, at Sunland Park Racetrack in Sunland Park, NM. Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on February 6, 2018.

Noe Amaya, the owner of record for horse "Expect A Storm", was duly notified and represented by attorney Daniel Marquez for this hearing. This is Noe Amaya's FIRST Class 3B medication violation in a lifetime.

Finding of Facts:

- Gaston Valenzuela was the Absolute Insurer and trainer of record at the time of the violation.
- "Expect A Storm" did participate in and won the 8th race on January 13, 2018, at Sunland Park Racetrack, with the prohibited drug "clenbuterol" in his system.
- Clenbuterol is zero tolerance.
- Gaston Valenzuela was afforded his due process by sending his split sample to Industrial Laboratories, where clenbuterol was confirmed in the sample.
- Approximately 14 horses were sent to the test barn on January 13, 2018, at Sunland Park Racetrack. "Expect A Storm" was the only horse that tested positive for Clenbuterol or any other drug.

For Gaston Valenzuela's FIRST Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. A 30 day suspension of all NMRC licenses starting April 18, 2018, through May 17, 2018 inclusive.
2. A (\$750.00) seven hundred and fifty dollar fine to paid on or before May 8, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.

During said time of applicable suspension Gaston Valenzuela 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, trained, or under the care of Gaston Valenzuela 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 by, owned by, or in the care and custody of Gaston Valenzuela must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION. Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Trainer Responsibility/ 15.2.6.9(B)(2) Penalty Recommendations 15.2.1.9(B)(9)(b): Appeal Procedures An appeal under this section must be filed not later than 10 days after the date of the ruling.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-239
Track: Sunland Park
Ruling Date: 4/8/2018

Licensee: AMAYA, NOE

License Type: 2017 3 Year Owner Applicant Id: 33053
License Number: 287745

Ruling # 2018-SUN-239

Action Type: Initial Ruling

Ruling:

Owner Noe Amaya was duly notified represented by attorney Daniel Marquez for a hearing before the Board of Stewards on April 8, 2018. The hearing was in regard to a certificate of analysis from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse "Expect A Storm" (Test Sample #: NM28574), who finished 1st place in the 8th race on January 13, 2018, at Sunland Park Racetrack in Sunland Park, NM. Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on February 6, 2018.

Gaston Valenzuela, the trainer of record for horse "Expect A Storm", was duly notified and represented by attorney Daniel Marquez for this hearing. This is Gaston Valenzuela's FIRST Class 3B medication violation in a lifetime.

For Noe Amaya's FIRST Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. Pursuant to rules 15.2.3.8 (B)(9)(a)(e) Stewards List, 15.2.6.9(C)(7)(c) Positive Test Report, 15.2.6.9(C)(8) Positive Test List, 15.2.6.9(C)(9)(a-d) List Removal Requirements, the horse "Expect A Storm" is placed on the Stewards list for a period of 60 days (beginning January 24, 2018). 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 "Expect A Storm" is hereby disqualified from FIRST PLACE and ordered unplaced from the 8th race on January 13, 2018, at Sunland Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Long Stormy Trip
2. Whatakiss
3. E Bar Gold
4. Red Zenon
5. Liberty Lover
6. The Waki Rapper
7. Golly Gee

Unplaced "Expect A Storm"

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(1)(4) Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Trainer Responsibility/ 15.2.6.9(B)(2) 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."

RULINGS

2018-SUN-240

THRU

2018-SUN-243

ISSUED IN

ERROR



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-244
Track: Sunland Park
Ruling Date: 4/13/2018

Licensee: TAPIA, ADAM A

License Type: 2017 3 Year Trainer Applicant Id: 19262
License Number: 285746

Ruling # 2018-SUN-244

Action Type: Initial Ruling

Ruling:

Owner/Trainer, Adam A. Tapia, is hereby summarily suspended (**effective immediately, April 13, 2018**) for the detection of the Class A drug Zilpaterol in sample #NM30275 taken from horse, "Howdy James", who placed 1st in the 5th race on 03/30/2018 at Sunland Park, per 15.2.1.9(B)(3)(a).

In accordance with 15.2.1.9 (C)(21), Adam A. Tapia is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC and all horses owned, trained, or under the care Adam A. Tapia are denied further entry, pending the outcome of his hearing on April 23, 2018, @ 10:15 am in the Board of Steward's office at Sunray Park Racetrack, in Farmington, NM. (39 Rd 5568, Farmington, NM 87401), per 15.2.1.9 (B)(3)(b).

Licensee is found in violation of:

15.2.1.9(B)(3)(a) NMAC: Which states in pertinent part "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".

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.

This ruling is written in accordance:

16.47.1.8 (L)(1)(i) – Conduct Which states in pertinent part "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing"

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

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

Victor Garcia

Victor Garcia

[Signature]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-245
Track Sunland Park
Ruling Date: 4/13/2018

Licensee: TAPIA, ADAM A

License Type: 2017 3 Year Owner

Applicant Id: 19262

License Number: 285745

Ruling # 2018-SUN-245

Action Type: Initial Ruling

Ruling:

Owner/Trainer, Adam A. Tapia, is hereby summarily suspended (effective immediately, April 13, 2018) for the detection of the Class A drug Zilpaterol in sample #NM30280 taken from horse Ms Elegant Eyes who placed 1st in the 7th race on 03/30/2018 at Sunland Park, per 15.2.1.9(B)(3)(a).

In accordance with 15.2.1.9 (C)(21), Adam A. Tapia is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC and all horses owned, trained, or under the care Adam A. Tapia are denied further entry, pending the outcome of his hearing on April 23, 2018, @ 10:15 am in the Board of Steward's office at Sunray Park Racetrack, in Farmington, NM. (39 Rd 5568, Farmington, NM 87401), per 15.2.1.9 (B)(3)(b).

Licensee is found in violation of:

15.2.1.9(B)(3)(a) NMAC: Which states in pertinent part "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".

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.

This ruling is written in accordance:

16.47.1.8 (L)(1)(i) – Conduct Which states in pertinent part "The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing"

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

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 #: 2018-SUN-246
Track Sunland Park
Ruling Date: 4/14/2018

Licensee: CUANDA, MARCELINO

License Type: 2016 3 Year Trainer Applicant Id: 35461
License Number: 283016

Ruling # 2018-SUN-246

Action Type: Initial Ruling

Ruling:

Owner/Trainer Marcelino Cuanda, was duly notified and appeared for a hearing before the Board of Stewards on April 13, 2018. The hearing was in regard Marcelino Cuanda failing to report, as instructed, to the Sunland Park Test Barn Facility for out of competition testing on March 13, 2018, with horse "Mt. Zobie", who was selected for out of competition testing.

The Board of Stewards hereby issues Marcelino Cuanda a penalty as follows:

1. A 90 day suspension any/all NMRC licenses starting, April 18, 2018, through July 17, 2018, inclusive.
2. The horse "Mt. Zobie" is hereby placed on the Stewards list for 60 days for failing to appear for Out Of Competition Testing. 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 test.

During said time of applicable suspension Marcelino Cuanda 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, trained, or under the care of Marcelino Cuanda 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 by, trained by, or in the care and custody of Marcelino Cuanda must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances 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

15.2.6.9 J (1) (a-e) OUT OF COMPETITION TESTING/ 15.2.6.9 J (7) (a)(b) OUT OF COMPETITION TESTING/ 15.2.6.9 J (8) OUT OF COMPETITION TESTING

16.47.1.8(L)(1)(e)(i)(3) GROUNDS FOR DISCIPLINARY MEASURES FOR A LICENSEE AND REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE/ 15.2.6.9 J (7) (a)(b) OUT OF COMPETITION TESTING/ 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 / 16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 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 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.

Victor Cooke

[Signature]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-247
Track Sunland Park
Ruling Date: 4/14/2018

Licensee: CUANDA, MARCELINO

License Type: 2016 3 Year Owner Applicant Id: 35461
License Number: 283015

Ruling # 2018-SUN-247

Action Type: Initial Ruling

Ruling:

Owner/Trainer Marcelino Cuanda, was duly notified and appeared for a hearing before the Board of Stewards on April 13, 2018. The hearing was in regard Marcelino Cuanda failing to report, as instructed, to the Sunland Park Test Barn Facility for out of competition testing on March 13, 2018, with horse "Hr Hammer Wagon", who was selected for out of competition testing.

The Board of Stewards hereby issues Marcelino Cuanda a penalty as follows:

1. A 90 day suspension any/all NMRC licenses to be run consecutively from ruling 2018-SUN-246, July 18, 2018, through October 16, 2018, inclusive.
2. The horse "Hr Hammer Wagon" is hereby placed on the Stewards list for 60 days for failing to appear for Out Of Competition Testing. 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 test.

During said time of applicable suspension Marcelino Cuanda 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, trained, or under the care of Marcelino Cuanda 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 by, trained by, or in the care and custody of Marcelino Cuanda must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances 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

15.2.6.9 J (1) (a-e) OUT OF COMPETITION TESTING/ 15.2.6.9 J (7) (a)(b) OUT OF COMPETITION TESTING/ 15.2.6.9 J (8) OUT OF COMPETITION TESTING

16.47.1.8(L)(1)(e)(i)(3) GROUNDS FOR DISCIPLINARY MEASURES FOR A LICENSEE AND REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE/ 15.2.6.9 J (7) (a)(b) OUT OF COMPETITION TESTING/ 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 / 16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 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 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 #: 2018-SUN-248
Track Sunland Park
Ruling Date: 4/14/2018

Licensee: OCHOA-PENA, GERARDO

License Type: 2016 3 Year Trainer Applicant Id: 21264
License Number: 280938

Ruling # 2018-SUN-248

Action Type: Initial Ruling

Ruling:

Trainer Gerardo Ochoa was duly notified and represented by attorney Daniel Marquez for a hearing before the Board of Stewards on April 13, 2018. The hearing was in regard to a certificate of analysis from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse "Taleas Pride" (Test Sample #: NM29819), who finished 2nd place in the 8th race on January 5, 2018, at Sunland Park Racetrack in Sunland Park, NM. Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on February 6, 2018.

Eusebio V. Sanchez, the owner of record for horse "Taleas Pride", was duly notified and failed to appear for this hearing. This is Eusebio V. Sanchez's FOURTH Class 3B medication violation in a lifetime.

For Gerardo Ochoa's THIRD Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. A 6 month suspension of all NMRC licenses starting April 23, 2018, through October 20, 2018, inclusive.
2. A (\$3,000.00) three thousand dollar fine to paid on or before May 13, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.

During said time of applicable suspension Gerardo Ochoa 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, trained, or under the care of Gerardo Ochoa 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 by, owned by, or in the care and custody of Gerardo Ochoa must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Trainer Responsibility/ 15.2.6.9(B)(2) 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 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.

David Smith *Victor Escobar*

Shirley Rivers



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-249
Track: Sunland Park
Ruling Date: 4/14/2018

Licensee: SANCHEZ, EUSEBIO V
License Type: 2015 3 Year Owner Applicant Id: 7076
License Number: 277381

Ruling # 2018-SUN-249

Action Type: Initial Ruling

Ruling:

Owner Eusebio V. Sanchez was duly notified, failed to appear, and had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board of Stewards on April 13, 2018. The hearing was in regard to a certificate of analysis from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "clenbuterol" detected in the urine of horse "Taleas Pride" (Test Sample #: NM29819), who finished 2nd place in the 8th race on January 5, 2018, at Sunland Park Racetrack in Sunland Park, NM. Clenbuterol was confirmed in the split sample sent to Industrial Laboratories on February 6, 2018. Gerardo Ochoa, the trainer of record for horse "Taleas Pride", was duly notified and represented by attorney Daniel Marquez for this hearing. This is Gerardo Ochoa's THIRD Class 3B medication violation in a lifetime. For Eusebio V. Sanchez's FOURTH Class 3B medication violation in a lifetime, the Board of Stewards assessed a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations as follows:

1. A (\$5,000.00) five thousand dollar fine to paid on or before May 13, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.
2. Pursuant to rules 15.2.3.8 (B)(9)(a)(e) Stewards List, 15.2.6.9(C)(7)(c) Positive Test Report, 15.2.6.9(C)(8) Positive Test List, 15.2.6.9(C)(9)(a-d) List Removal Requirements, the horse "Taleas Pride" is placed on the Stewards list for a period of 60 days (beginning January 20, 2018). 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 "Taleas Pride" is hereby disqualified from SECOND PLACE and ordered unplaced from the 8th race on January 5, 2018, at Sunland Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Jess Bordeaux 2. Tyger Power 3. Cartels Star Daddy 4. Fast N Furious Jr. 5. Hot Authorization 6. Chill It 7. Heza Wild Dragon 8. Rjs Special Version 9. Call Me a Blazin Chic

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(1)(4) Medication Restrictions/ 15.2.6.11(A)(1)(2)(3) Trainer Responsibility/ 15.2.6.9(B)(2) 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 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.

Daniel Smith Victor Escobar

Gerardo Ochoa