



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-59
Track Sunland Park
Ruling Date: 1/27/2018

Licensee: GOMEZ, ALFREDO MORRIS
License Type: 2016 3 Year Trainer Applicant Id: 14091
License Number: 283239

Ruling # 2018-SUN-59

Action Type: Initial Ruling

Ruling:

Trainer ALFREDO MORRIS GOMEZ is hereby suspended, effective **January 27, 2018**, for failing to pay the **fine ((\$4,500.00, four thousand and five hundred dollars))** assessed in **Ruling 2017-SRP-36**.

During said time of applicable suspension, **ALFREDO MORRIS GOMEZ** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC, in accordance with **15.2.1.9 (C)(21) Exclusion**. Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care of **ALFREDO MORRIS GOMEZ** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c) Exclusion**.

Licensee is found to be in violation of:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

This Ruling is written in accordance with:

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.

Debra Smith

John A. Smith

For Walker



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-60
Track Sunland Park
Ruling Date: 1/27/2018

Licensee: MEDRANO, ALBERT T.

License Type: 2016 3 Year Jockey Applicant Id: 20151
License Number: 280564

Ruling # 2018-SUN-60

Action Type: Initial Ruling

Ruling:

Jockey, Alberto Medrano, 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 January 27, 2018, for failing to make assigned weight, which resulted in a late change of rider for entry "BRUJITO NUEVE" in the 3rd race on December 29, 2017, at Sunland Park Racetrack.

The Board of Stewards hereby assesses Alberto Medrano a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before February 27, 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 is 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."

15.2.5.13(C) (12) Seven pounds is the limit of overweight any horse is permitted to carry.

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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-61
Track Sunland Park
Ruling Date: 1/28/2018

Licensee: SANCHEZ, PHILLIP RALPH

License Type: 2015 3 Year Trainer Applicant Id: 29569
License Number: 277097

Ruling # 2018-SUN-61

Action Type: Initial Ruling

Ruling:

Trainer Phillip Sanchez was duly notified and telephonically waived his rights to a formal hearing before the Board of Stewards on January 28, 2018. Phillip Sanchez failed to have a current Coggins for entry "COUNTRY TOUCH", which resulted in a late scratch in the 1st race on January 16, 2018, at Sunland Park Racetrack.

For this violation, the Board of Stewards assessed Phillip Sanchez a fine in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before February 28, 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 is written in accordance with

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

16.47.1.10(C)(5)Trainer Responsibility The trainer is responsible for the proper identity, custody, care, health, condition, and safety of horses in their charge.

16.47.1.10(C)(15) Trainer Responsibility The trainer is responsible for maintaining a knowledge of the medication record and status of all horses in their care.

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.

Doret Smith *Jim [Signature]* *Ron Walker*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-62
Track Sunland Park
Ruling Date: 1/28/2018

Licensee: AMPARAN, ALBERTO

License Type: 2016 3 Year Trainer Applicant Id: 10520
License Number: 282587

Ruling # 2018-SUN-62

Action Type: Initial Ruling

Ruling:

issued in error

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-63
Track Sunland Park
Ruling Date: 1/28/2018

Licensee: AMPARAN, FRANCISCO ALBERTO

License Type: 2017 3 Year Apprentice Applicant Id: 34486
License Number: 285602

Ruling # 2018-SUN-63

Action Type: Initial Ruling

Ruling:

Apprentice Jockey Francisco Amparan was summoned and appeared before the Board of Stewards on January 28, 2018, for using poor judgment coming out of the turn while aboard "FLYING ROLLEX" in the 7th Race on January 27, 2018, at Sunland Park Racetrack. (Allowed his mount to run up on the heels of another horse, causing his horse to clip and stumble).

The Board of Stewards hereby assesses, Francisco Amparan, a fine in the amount of two hundred dollars, (\$200.00). This fine is to be paid on or before February 28, 2017, 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 in violation of and this ruling is written in accordance with:

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

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

15.2.1.9(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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-64
Track: Sunland Park
Ruling Date: 1/30/2018

Licensee: ROMAN, JR JAVIER

License Type: 2016 3 Year Trainer Applicant Id: 17950
License Number: 284154

Ruling # 2018-SUN-64

Action Type: Initial Ruling

Ruling:

Trainer **Javier Roman Jr.** was duly notified and responded telephonically for a hearing before the Board of Stewards on **January 28, 2018**. The hearing was in regard to **Javier Roman Jr.** administering the medication, **Wind Aid**, to entry, **"Buildem Fast"**, within 24 hours prior to the **10th race on December 30, 2017, at Sunland Park Racetrack**. As a result of the trainer's actions, entry **"Buildem Fast"** was scratched and mutuels refunded.

The Board of Stewards hereby fine **Javier Roman Jr.** in the amount of **five hundred dollars (\$500)**. The fine is to be paid on or before **March 3, 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 is written in accordance with:

15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(3)(5)(6)/ 15.2.6.11 (A)(B) Trainer Responsibility/ 16.47.1.10 (B)(1)(2)(3) Absolute Insurer.

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
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Ruling #: 2018-SUN-65
Track Sunland Park
Ruling Date: 1/30/2018

Licensee: LEYBA,SR RUBEN G

License Type: 2017 3 Year Trainer Applicant Id: 28513
License Number: 287305

Ruling # 2018-SUN-65
Action Type: Initial Ruling
Ruling:
issued in error

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.

Tialet Smith *John Carter*

Ben Walker



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-66
Track Sunland Park
Ruling Date: 1/30/2018

Licensee: ACOSTA, JR CARLOS H.

License Type: 2017 3 Year Trainer Applicant Id: 19413
License Number: 288503

Ruling # 2018-SUN-66

Action Type: Initial Ruling

Ruling:

Trainer Carlos Acosta Jr., was duly notified and appeared for a hearing before the Board of Stewards on January 28, 2018. The hearing was in regard to an affidavit from UC/Davis (official testing laboratory for the NMSRC for a confirmed positive for the therapeutic drugs, flunixin (class 4 penalty category C MINOR drug) and Dexamethasone (class 4 penalty category C MAJOR drug) found in test sample NM29548. The test sample was taken from the winner "BELLA FACCIA" following the 6th race, on December 3, 2017, at Zia Park Racetrack, in Hobbs, NM.

The affidavit from UC/Davis indicated a finding of flunixin at 56.2 nanograms per milliliter in the blood, which exceeds the allowable limit of 20 nanograms per milliliter in the blood. It also indicated a finding of Dexamethasone at 19 picograms per milliliter in the blood, which exceeds the allowable limit of 5 picograms per milliliter in the blood (15.2.6.9 Attachment 2 Page 3). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Carlos Acosta Jr.

Brayan A. Marquez and Astorga Racing (Hugo and Ivan Astorga), the owners of record for horse "BELLA FACCIA", were duly notified and failed to appear for this hearing. This is their FIRST Class 4C MINOR and 4C MAJOR medication violations in a 365-day period.

For Carlos Acosta Jr.'s FIRST Class 4C MINOR AND 4C MINOR medication violations in a 365-day period, the Board of Stewards assess a penalty as follows:

1. A (\$500) five hundred dollar fine for the Flunixin (Class 4C MINOR) medication violation. The fine to be paid on or before March 2, 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 (\$1,000) one thousand dollar fine for the Dexamethasone (Class 4C Major) medication violation. The fine is to be paid on or before March 2, 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.

Licensee is found to be in violation of and his ruling is written in accordance with: 15.2.3.8.(B)(1)(3)(f)(G) (j) Stewards/ 15.2.6.9C)(4) Medication Restrictions/ 15.2.6.11(A) Trainer Responsibility/ 16.47.1.10(B)(1) Absolute Insurer/ 15.2.6.9(B)(4) 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-67
Track: Sunland Park
Ruling Date: 1/30/2018

Licensee: MARQUEZ, BRAYAN A

License Type: 2016 3 Year Owner Applicant Id: 158978
License Number: 282671

Ruling # 2018-SUN-67

Action Type: Initial Ruling

Ruling:

Owners **Brayan A. Marquez and Astorga Racing (Hugo and Ivan Astorga)** were duly notified, failed to appear, and had **their** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)non-appearance**, before the Board of Stewards on **January 28, 2018**. The hearing was in regard to an affidavit from UC/Davis (official testing laboratory for the NMSRC for a confirmed positive for the therapeutic drugs, **flunixin (class 4 penalty category C MINOR drug)** and **Dexamethasone (class 4 penalty category C MAJOR drug)** found in test sample **NM29548**. The test sample was taken from **the winner "BELLA FACCIA"** following **the 6th race, on December 3, 2017, at Zia Park Racetrack, in Hobbs, NM.**

The affidavit from UC/Davis indicated a finding of **flunixin at 56.2 nanograms per milliliter in the blood, which exceeds the allowable limit of 20 nanograms per milliliter in the blood.** It also indicated a finding of **Dexamethasone at 19 picograms per milliliter in the blood,** which exceeds the allowable limit of 5 picograms per milliliter in the blood (**15.2.6.9 Attachment 2 Page 3**). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer **Carlos Acosta Jr.**.

Carlos Acosta Jr., the **trainer** of record for horse **"BELLA FACCIA"**, was duly notified and responded telephonically this hearing. This is **Carlos Acosta Jr.'s FIRST** Class 4C MINOR and 4C MAJOR medication violations in a 365-day period.

For **Brayan A. Marquez and Astorga Racing (Hugo and Ivan Astorga)'s FIRST** Class 4C MINOR AND 4C MINOR medication violations in a 365-day period, the Board of Stewards assess a penalty as follows:

1. The horse **"BELLA FACCIA"** must pass a commission-approved examination before being eligible to enter.

Licensee is found to be in violation of and his ruling is written in accordance with: 15.2.3.8.(B)(1)(3)(f)(G) (j) Stewards/ 15.2.6.9C)(4) Medication Restrictions/ 15.2.6.11(A) 15.2.6.9(B)(4)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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-68
Track Sunland Park
Ruling Date: 1/30/2018

Licensee: ASTORGA, HUGO FERNANDO

License Type: 2015 3 Year Owner Applicant Id: 157238
License Number: 246896

Ruling # 2018-SUN-68

Action Type: Initial Ruling

Ruling:

Owners Brayan A. Marquez and Astorga Racing (Hugo and Ivan Astorga) were duly notified, failed to appear, and had their hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board of Stewards on January 28, 2018. The hearing was in regard to an affidavit from UC/Davis (official testing laboratory for the NMSRC for a confirmed positive for the therapeutic drugs, flunixin (class 4 penalty category C MINOR drug) and Dexamethasone (class 4 penalty category C MAJOR drug) found in test sample NM29548. The test sample was taken from the winner "BELLA FACCIA" following the 6th race, on December 3, 2017, at Zia Park Racetrack, in Hobbs, NM.

The affidavit from UC/Davis indicated a finding of flunixin at 56.2 nanograms per milliliter in the blood, which exceeds the allowable limit of 20 nanograms per milliliter in the blood. It also indicated a finding of Dexamethasone at 19 picograms per milliliter in the blood, which exceeds the allowable limit of 5 picograms per milliliter in the blood (15.2.6.9 Attachment 2 Page 3). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer Carlos Acosta Jr.

Carlos Acosta Jr., the trainer of record for horse "BELLA FACCIA", was duly notified and responded telephonically this hearing. This is Carlos Acosta Jr.'s FIRST Class 4C MINOR and 4C MAJOR medication violations in a 365-day period.

For Brayan A. Marquez and Astorga Racing (Hugo and Ivan Astorga)'s FIRST Class 4C MINOR AND 4C MINOR medication violations in a 365-day period, the Board of Stewards assess a penalty as follows:

1. The horse "BELLA FACCIA" must pass a commission-approved examination before being eligible to enter.

Licensee is found to be in violation of and his ruling is written in accordance with: 15.2.3.8.(B)(1)(3)(f)(G) (j) Stewards/ 15.2.6.9C)(4) Medication Restrictions/ 15.2.6.11(A) 15.2.6.9(B)(4) 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-69
Track Sunland Park
Ruling Date: 2/2/2018

Licensee: VERUCHI, HARRY LOUIS

License Type: 2017 3 Year Owner Applicant Id: 16011
License Number: 284649

Ruling # 2018-SUN-69

Action Type: Initial Ruling

Ruling:

Owner Harry L. Veruchi, 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 January 30, 2018. The hearing was in regard to Harry L. Veruchi transferring the horse "PASTE" after entry, which resulted in a scratch of said horse from the 2nd race on January 6, 2018 at Sunland Park Racetrack.

The Board of Stewards hereby fine Harry L. Veruchi in the amount of two hundred dollars (\$ 200.00). The fine is to paid on or before March 2, 2018, 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 and this ruling is written in accordance with:

15.2.5.8 (B)(2) PROCEDURE FOR ENTRIES An entry shall be in the name of the horse's owner and made by the owner, trainer or a licensed designee of the owner or trainer. Any horse which is in a race or on the also-eligible list may not be sold or transferred until that obligation is completed, except with permission of the stewards.

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-70
Track Sunland Park
Ruling Date: 2/2/2018

Licensee: ZAMORA, CHRIS GERARD

License Type: 2015 3 Year Trainer Applicant Id: 17528
License Number: 278871

Ruling # 2018-SUN-70

Action Type: Initial Ruling

Ruling:

Trainer Chris Zamora 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 February 2, 2018. The hearing was in regard to Chris Zamora failing to have the owner licensed for entry "WRAPPED", which resulted in a late scratch from the 9th race on January 6, 2018 at Sunland Park Racetrack.

The Board of Stewards hereby fine Chris Zamora in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before March 4, 2018, 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 and this ruling is written in accordance with:

15.2.5.12(X) Horse ineligible 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 (C)(17) Trainer Responsibility: 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".

16.47.1.10 (C)(16) Trainer Responsibility The Trainer is responsible for disclosure of the true and entire ownership of each horse in their care, custody or control; any change in ownership must be reported immediately to, and approved by, the stewards and recorded by the racing secretary

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-71
Track Sunland Park
Ruling Date: 2/3/2018

Licensee: ASTORGA, IVAN N

License Type: 2015 3 Year Owner Applicant Id: 157239
License Number: 246897

Ruling # 2018-SUN-71

Action Type: Initial Ruling

Ruling:

Owners **Brayan A. Marquez and Astorga Racing (Hugo and Ivan Astorga)** were duly notified, failed to appear, and had their hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d)non-appearance, before the Board of Stewards on January 28, 2018. The hearing was in regard to an affidavit from UC/Davis (official testing laboratory for the NMSRC for a confirmed positive for the therapeutic drugs, flunixin (class 4 penalty category C MINOR drug) and Dexamethasone (class 4 penalty category C MAJOR drug) found in test sample NM29548. The test sample was taken from the winner "BELLA FACCIA" following the 6th race, on December 3, 2017, at Zia Park Racetrack, in Hobbs, NM.

The affidavit from UC/Davis indicated a finding of flunixin at 56.2 nanograms per milliliter in the blood, which exceeds the allowable limit of 20 nanograms per milliliter in the blood. It also indicated a finding of Dexamethasone at 19 picograms per milliliter in the blood, which exceeds the allowable limit of 5 picograms per milliliter in the blood (15.2.6.9 Attachment 2 Page 3). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer Carlos Acosta Jr.

Carlos Acosta Jr., the trainer of record for horse "BELLA FACCIA", was duly notified and responded telephonically this hearing. This is Carlos Acosta Jr.'s FIRST Class 4C MINOR and 4C MAJOR medication violations in a 365-day period.

For Brayan A. Marquez and Astorga Racing (Hugo and Ivan Astorga)'s FIRST Class 4C MINOR AND 4C MINOR medication violations in a 365-day period, the Board of Stewards assess a penalty as follows:

1. The horse "BELLA FACCIA" must pass a commission-approved examination before being eligible to enter.

Licensee is found to be in violation of and his ruling is written in accordance with: 15.2.3.8.(B)(1)(3)(f)(G) (j) Stewards/ 15.2.6.9C)(4) Medication Restrictions/ 15.2.6.11(A) 15.2.6.9(B)(4)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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-72
Track Sunland Park
Ruling Date: 2/3/2018

Licensee: LEYBA, JR RUBEN

License Type: 2018 3 Year Trainer Applicant Id: 34791
License Number: 288784

Ruling # 2018-SUN-72

Action Type: Initial Ruling

Ruling:

Trainer **Ruben Leyba Jr.** was duly notified and responded telephonically before the Board of Stewards on **January 30, 2018.** The hearing was in regard to **Ruben Leyba Jr.** failing to appear in paddock with entry, "**MELEROS TERROR**", which resulted in a late scratch and mutuel refund in the **7th race on January 5, 2018, at Sunland Park Racetrack.**

The Board of Stewards hereby fine **Ruben Leyba Jr.** in the amount of **two hundred dollars (\$200.00).** The fine is to be paid on or before **March 3, 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 in violation of and ruling in written in accordance with .

16.47.1.10 (C) (22) TRAINER RESPONSIBILITY 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.

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.