



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2019-SUN-188**
Track: Sunland Park
Ruling Date: 3/26/2019

Licensee: **BACHICHA, ELLIOT LLOYD**
License Type: 2018 3 Year Trainer Applicant Id: 25972
License Number: 290407

Ruling # 2019-SUN-188

Action Type: Initial Ruling

Ruling:

Trainer, **Elliot Bachicha**, is hereby summarily suspended, **effective immediately, March 26, 2019** pending the outcome of **his** hearing scheduled for **April 2, 2019, at 9:15 a.m.** in the office of the **Board of Stewards at Sunland Park Racetrack (1200 Futurity Dr, Sunland Park, NM.)**, per **15.2.1.9 (B)(3)(b) Summary Suspension**. The summary suspension is in regard to the confirmed positive of the **Class 3 Penalty B Controlled Substance, clenbuterol, found in test sample #E305830 taken from the second place finisher, "My Mister Pt", in the 3rd race on March 8, 2019, at Sunland Park Racetrack.**

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

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

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

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

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

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

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

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

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2019-SUN-189**
Track: Sunland Park
Ruling Date: 3/29/2019

Licensee: **BARBER, MICHAEL KIRK**
License Type: 2019 3 Year Trainer Applicant Id: 10111
License Number: 292915

Ruling # 2019-SUN-189

Action Type: Initial Ruling

Ruling:

Trainer: **Michael Barber**, having been duly notified and appeared with his **attorney A. Blair Dunn** before the **Board Of Stewards on March 29, 2019, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC)**, for a confirmed positive for the drug, **Dexamethasone** (class 4C-Major penalty drug) found in test sample **E227878** taken from the **1st place finisher "Magnum Moonflash"** following **the 8th race, on August 11, 2018, at the Downs at Albuquerque Race Track.**

The original lab report indicated a finding of **Dexamethasone at 35.1 +/- 2.6 pg/ml in the blood**, exceeding the allowable limit for **Dexamethasone** of 5 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 trainer, and confirmed by TVMDL at 8.2 +/- 1.5 pg/ml. **Pierre Amestoy and Leslie Amestoy** are the owners of record for horse "**Magnum Moonflash**".

This is **Michael Barber's Second Class 4C-Major medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4)**. The Board of Stewards assessed a penalty as follows:

1. A **(\$1,500) One Thousand Five Hundred dollar fine to paid on or before April 28, 2019**, in accordance with **15.2.3.8 (B)(3)(I) NMAC**. Failure to pay fine in prescribed time will result in an immediate suspension.
2. **A 15 day suspension of all NMRC licenses starting April 8, 2019, through April 22, 2019, inclusive.**
3. During said time of applicable suspension **Michael Barber** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**. Additionally, effective upon applicable suspension dates, all horses **owned or trained by or under the care and custody of Michael Barber** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **owned or trained by or under the care and custody of Michael Barber** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers** and **15.2.1.9(B)(8)(b)**.

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(1)(4) Medication Restrictions/ 15.2.6.11(A) Trainer Responsibility/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.8(U)(1) Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B) Penalty Recommendations.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2019-SUN-190**
Track: Sunland Park
Ruling Date: 3/29/2019

Licensee: **AMESTOY, PIERRE JEAN**
License Type: **2017 3 Year Owner** Applicant Id: **29594**
License Number: **284885**

Ruling # 2019-SUN-190

Action Type: Initial Ruling

Ruling:

Owner **Pierre J. Amestoy** was duly notified, and was represented by attorney Camille Cordova before the Board of Stewards on **March 29, 2019**. The hearing was in regard to a confirmed positive for the therapeutic drug **Dexamethasone (class 4C major)**, found in test sample **#E276878**. The test sample was taken from the **first place finisher "Magnum Moonflash"** following **the 8th race on August 11, 2018 at the Downs of Albuquerque Racetrack**.

The certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** indicated a finding of **Dexamethasone at 35.1 +/- 2.6 pg/ml in the blood, which exceeds the limit of 5.0 pg/ml per 15.2.6.9 NMAC Attachment 2**

A split sample was sent by the trainer and confirmed at (8.2 +/- 1.5 pg/ml) TVMDL.

Michael Barber was the trainer of record for the horse "Magnum Moonflash" at the time of the violation.

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

1. The horse "Magnum Moonflash" is hereby disqualified from first place and ordered unplaced from the 8th race on August 11, 2018 at the Downs of Albuquerque for all but pari-mutuel wagering.

The purse redistribution is as follows

1. Jesswhathaveigottado
2. Ahs Blue Boy
3. First Shining Chick
4. Elegants Jess
5. Enb Uptown Funk
6. Eye Am a Hottie
7. Shadow Hills
8. Viva My Hero V

Unplaced: Magnum Moonflash

2. A (\$5000.00) Five Thousand Dollar fine to paid on or before April 27, 2019, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay fine in prescribed time will result in an immediate suspension.

3. The horse "Magnum Moonflash" must pass a commission-approved examination before being eligible to run.

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)(1) Medication Restrictions / 15.2.6.9(F)Permissible Medications With Acceptable Levels / 15.2.6.9 NMAC Attachment 2/ 15.2.6.9(B)(4)Penalty Recommendations/ 15.2.3.8(B)(3)(k) Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

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 #: **2019-SUN-191**
Track: Sunland Park
Ruling Date: 3/29/2019

Licensee: AMESTOY, LESLIE ANN
License Type: 2017 3 Year Owner Applicant Id: 25800
License Number: 284886

Ruling # 2019-SUN-191

Action Type: Initial Ruling

Ruling:

Owner **Leslie A. Amestoy** was duly notified, and was represented by attorney Camille Cordova before the Board of Stewards on **March 29, 2019**. The hearing was in regard to a confirmed positive for the therapeutic drug **Dexamethasone (class 4C major)**, found in test sample **#E276878**. The test sample was taken from the **first place finisher "Magnum Moonflash"** following **the 8th race on August 11, 2018 at the Downs of Albuquerque Racetrack**.

The certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** indicated a finding of **Dexamethasone at 35.1 +/- 2.6 pg/ml in the blood, which exceeds the limit of 5.0 pg/ml per 15.2.6.9 NMAC Attachment 2**

A split sample was sent by the trainer and confirmed at (8.2 +/- 1.5 pg/ml) TVMDL.

Michael Barber was the trainer of record for the horse "Magnum Moonflash" at the time of the violation.

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

1. The horse "**Magnum Moonflash**" is hereby disqualified from **first place** and ordered unplaced from the **8th race on August 11, 2018 at the Downs of Albuquerque** for all but pari-mutuel wagering.

The purse redistribution is as follows

1. Jesswhathaveigottado
2. Ahs Blue Boy
3. First Shining Chick
4. Elegants Jess
5. Enb Uptown Funk
6. Eye Am a Hottie
7. Shadow Hills
8. Viva My Hero V

Unplaced: Magnum Moonflash

2. A **(\$5000.00) Five Thousand Dollar fine to paid on or before April 27, 2019**, in accordance with **15.2.3.8 (B)(3)(I) NMAC**. Failure to pay fine in prescribed time will result in an immediate suspension.

3. The horse "Magnum Moonflash" must pass a commission-approved examination before being eligible to run.

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)(1) Medication Restrictions / 15.2.6.9(F)Permissible Medications With Acceptable Levels / 15.2.6.9 NMAC Attachment 2/ 15.2.6.9(B)(4)Penalty Recommendations/ 15.2.3.8(B)(3)(k) Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

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 #: **2019-SUN-192**
Track: Sunland Park
Ruling Date: 3/29/2019

Licensee: **BARBER, MICHAEL KIRK**
License Type: **2019 3 Year Trainer** Applicant Id: **10111**
License Number: **292915**

Ruling # 2019-SUN-192

Action Type: Initial Ruling

Ruling:

Trainer: **Michael Barber**, having been duly notified and appeared with his **attorney A. Blair Dunn** before the **Board Of Stewards on March 29, 2019, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC)**, for a confirmed positive for the drug, **Dexamethasone** (class 4C-Major penalty drug) found in test sample **E277028** taken from the **2nd place finisher "Mulberry"** following **the 3rd race, on August 25, 2018, at the Downs at Albuquerque Race Track**

The original lab report indicated a finding of **Dexamethasone at 13.4 +/- 2.6 pg/ml in the blood**, exceeding the allowable limit for **Dexamethasone** of 5 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 trainer, and confirmed by TVMDL at 7.9 +/- 1.0 pg/ml.

Peter Hladky is the owner of record for horse "**Mulberry**"

This is Michael Barber's Third, Class 4C-Major medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4). The Board of Stewards assessed a penalty as follows:

1. A **(\$2,500) Two Thousand Five Hundred dollar fine to paid on or before April 28, 2019**, in accordance with **15.2.3.8 (B)(3)(I) NMAC**. Failure to pay fine in prescribed time will result in an immediate suspension.
2. **A 30 day suspension of all NMRC licenses starting April 23, 2019, through May 22, 2019, inclusive.**
3. **These dates are associated with other rulings, and may become effective immediately if those rulings are amended.**
4. During said time of applicable suspension **Michael Barber** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C) (21)**. Additionally, effective upon applicable suspension dates, all horses **owned or trained by or under the care and custody of Michael Barber** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **owned or trained by or under the care and custody of Michael Barber** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b)**.

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations.

15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

David Smith *Ron Walker* *Victoria Ede*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2019-SUN-193**
Track: Sunland Park
Ruling Date: 3/29/2019

Licensee: HLADKY, PETER A
License Type: 2017 3 Year Owner Applicant Id: 5081
License Number: 285687

Ruling # 2019-SUN-193

Action Type: Initial Ruling

Ruling:

Owner **Peter Hladky** was duly notified, and was represented by attorney Blair Dunn before the Board of Stewards on **March 29, 2019**. The hearing was in regard to a confirmed positive for the therapeutic drug **Dexamethasone (class 4C major)**, found in test sample **#E277028**. The test sample was taken from the **second place finisher "Mulberry"** following **the 3rd race on August 25, 2018 at the Downs of Albuquerque Racetrack**.

The certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** indicated a finding of **Dexamethasone at 13.4 +/- 2.6 pg/ml in the blood, which exceeds the limit of 5.0 pg/ml per 15.2.6.9 NMAC Attachment 2**

A split sample was sent by the trainer and confirmed at (7.9 +/- 1 pg/ml) TVMDL.

Michael Barber was the trainer of record for the horse "Mulberry" at the time of the violation.

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

1. The horse **"Mulberry"** is hereby disqualified from **second place** and ordered unplaced from the **3rd race on August 25, 2018 at the Downs of Albuquerque** for all but pari-mutuel wagering.

The purse redistribution is as follows

1. Flying Pretty
 2. One Afleet Star
 3. Never Mizz
 4. Double Dehere
 5. American Raisa
 6. Robthequien
 7. La Fortunada
- Unplaced: Mulberry

2. The horse **"Mulberry"** is placed on veterinarian's list for 45 days, starting March 29, 2019 thru May 12, 2019, and must pass a commission approved examination before being eligible to enter.

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)(1) Medication Restrictions / 15.2.6.9(F)Permissible/ 15.2.6.9 NMAC Attachment 2/ Medications With Acceptable Levels /15.2.6.9(B)(4)Penalty Recommendations/ 15.2.3.8(B)(3)(k) Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

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 #: **2019-SUN-194**
Track: Sunland Park
Ruling Date: 3/30/2019

Licensee: **HERNANDEZ, MIGUEL L**
License Type: 2018 3 Year Trainer Applicant Id: 30905
License Number: 289539

Ruling # 2019-SUN-194

Action Type: Initial Ruling

Ruling:

Trainer: **Miguel Hernandez**, having been duly notified and appeared with his **attorney Billy Blackburn** before the **Board Of Stewards on March 30, 2019, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC)**, for a confirmed positive for the drug, **Dexamethasone** (class 4C-Major penalty drug) found in test sample **E276593** taken from the **1st place finisher "Sphene"** following **the 6th race, on July 21, 2018, at the Downs at Albuquerque Race Track**. The original lab report indicated a finding of **Dexamethasone at 74.6 +/- 3.1 pg/ml in the blood**, the allowable limit for **Dexamethasone** is 5 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 trainer, and confirmed by Truesdail at 37 +/- 12 pg/ml. **Judge Lanier Racing (Tom McKenna et. al.)** are the owners of record for horse "**Sphene**"

This is Miguel Hernandez's Second Class 4C-Major medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4). The Board of Stewards assessed a penalty as follows:

- 1. A (\$1,500) One Thousand Five Hundred dollar fine to paid on or before April 29, 2019, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay fine in prescribed time will result in an immediate suspension.**
- 2. A 15 day suspension of all NMRC licenses starting April 8, 2019, through April 22, 2019, inclusive.**
- 3. During said time of applicable suspension Miguel Hernandez is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with 15.2.1.9 (C)(21). Additionally, effective upon applicable suspension dates, all horses owned or trained by or under the care and custody of Miguel Hernandez are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21) (c). All transfers and sales of horses owned or trained by or under the care and custody of Miguel Hernandez must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b).**

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f) (g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations.

15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Sunland Park Stewards

2019-SUN-195

ISSUED

IN

ERROR



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2019-SUN-196**
Track: Sunland Park
Ruling Date: 3/30/2019

Licensee: GONZALEZ, SANTIAGO JOSE
License Type: 2018 3 Year Jockey Applicant Id: 161592
License Number: 292221

Ruling # 2019-SUN-196

Action Type: Initial Ruling

Ruling:

Jockey, **Santiago Gonzalez**, having been summoned **and appeared** before the Board of Stewards **on March 30, 2019** for failure to make sufficient effort to control his mount during the running of the **12th race on March 24, 2019, at Sunland Park Racetrack while aboard "Forger"**

For this violation, the Board of Stewards assessed **Santiago Gonzalez** a fine in the amount of \$200. The fine is to be paid on or before April 28, 2019 in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed shall result in immediate suspension.

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

- 15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."
- 15.2.5.13 (E) (3) (a) NMAC Post to Finish When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul.
- 15.2.5.13 (E) (3) (b) NMAC Post to Finish The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.
- 15.2.5.13 (E) (3) (c) NMAC Post to Finish If the stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey.
- 15.2.5.13(E)(4)(a) NMAC Disqualification. When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last
- 15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys
- 15.2.3.8 B (3)(f) Stewards Disciplinary Action
- 15.2.3.8 B (3)(A) Stewards Disciplinary Action
- 15.2.3.8 B (1) (d) Stewards General Authority
- 16.47.1.8. T. KNOWLEDGE OF RULES:
- 16.47.1.3 Statutory Authority
- 16.47.1.8 (A)(1) License Required
- 16.47.1.8 (A)(2) License Required
- 16.47.1.8(N) Last Known Address

By Order of The 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 #: **2019-SUN-197**
Track: Sunland Park
Ruling Date: 3/30/2019

Licensee: **GONZALEZ, JORGE LUIS**
License Type: **2018 3 Year Jockey** Applicant Id: **33835**
License Number: **292675**

Ruling # 2019-SUN-197

Action Type: Initial Ruling

Ruling:

Jockey, **Jorge Luis Gonzalez**, having been summoned **and having appeared** before the Board of Stewards **on March 30, 2019** for careless riding during the running of the **1st race on March 26, 2019, at Sunland Park Racetrack** while **aboard "Dom Funny", who was disqualified from 1st and placed 2nd.** (Bore in down the lane taking away the path of number 6 causing him to take up sharply and alter course costing him the opportunity at a better placing.)

For this violation, the Board of Stewards assessed **Jorge Luis Gonzalez** a suspension of **7 calendar days (April 7, 2019 thru April 13, 2019)**. **Jorge Luis Gonzalez** is allowed to ride designated races.

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

- 15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."
- 15.2.5.13 (E) (3) (a) NMAC Post to Finish When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul.
- 15.2.5.13 (E) (3) (b) NMAC Post to Finish The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.
- 15.2.5.13 (E) (3) (c) NMAC Post to Finish If the stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey.
- 15.2.5.13(E)(4)(a) NMAC Disqualification. When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last
- 15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys
- 15.2.3.8 B (3)(f) Stewards Disciplinary Action
- 15.2.3.8 B (3)(A) Stewards Disciplinary Action
- 15.2.3.8 B (1) (d) Stewards General Authority
- 16.47.1.8. T. KNOWLEDGE OF RULES:
- 16.47.1.3 Statutory Authority
- 16.47.1.8 (A)(1) License Required
- 16.47.1.8 (A)(2) License Required
- 16.47.1.8(N) Last Known Address

By Order of The 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 #: **2019-SUN-198**
Track: Sunland Park
Ruling Date: 3/30/2019

Licensee: PEREZ, MIGUEL ANGEL
License Type: 2018 3 Year Jockey Applicant Id: 31329
License Number: 289006

Ruling # 2019-SUN-198

Action Type: Initial Ruling

Ruling:

Jockey, **Miguel A. Perez**, having been summoned **and having appeared** before the Board of Stewards **on March 30, 2019** for careless riding during the running of the **5th race on March 26, 2019, at Sunland Park Racetrack** while **aboard "Cowboy Cool", who was disqualified from second and placed fourth.** (Drifted out down the backstretch bumping the number 8 several times.)

For this violation, the Board of Stewards assessed **Miguel A. Perez** a suspension of **7 calendar days (April 6, 2019 thru April 12, 2019)**. **Miguel A. Perez** is allowed to ride designated races.

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

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

15.2.5.13 (E) (3) (a) NMAC Post to Finish When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede or intimidate any other horse, it is a foul.

15.2.5.13 (E) (3) (b) NMAC Post to Finish The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

15.2.5.13 (E) (3) (c) NMAC Post to Finish If the stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey.

15.2.5.13(E)(4)(a) NMAC Disqualification. When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The 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 #: **2019-SUN-199**
Track: Sunland Park
Ruling Date: 3/30/2019

Licensee: MCKENNA, TOM ROSS
License Type: 2017 3 Year Owner Applicant Id: 12492
License Number: 285262

Ruling # 2019-SUN-199

Action Type: Initial Ruling

Ruling:

Owner **Tom McKenna (Judge Lanier Racing Stable et al)** was duly notified, and was represented by attorney Billy Blackburn before the Board of Stewards on **March 30, 2019**. The hearing was in regard to a confirmed positive for the therapeutic drug **Dexamethasone (class 4C major)**, found in test sample **#E276593**. The test sample was taken from the **first place finisher "Spheue"** following **the 6th race on July 21, 2018 at the Downs of Albuquerque Racetrack**.

The certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** indicated a finding of **Dexamethasone at 74.6 +/- 3.1 pg/ml in the blood, which exceeds the limit of 5.0 pg/ml per 15.2.6.9 NMAC Attachment 2**

A split sample was sent by the trainer and confirmed at (37 +/- 12 pg/ml) Truesdail Laboratories.

Miguel Hernandez was the trainer of record for the horse "Spheue" at the time of the violation.

In accordance with **15.2.6.9(B)(4) PENALTY RECOMMENDATIONS**, this is **Tom McKenna's (Judge Lanier Racing Stable et al) SECOND Class 4C MAJOR medication violation in a 365-day period**. The Board of Stewards hereby assess penalty as follows:

1. The horse "Spheue" is hereby disqualified from first place and ordered unplaced from the 6th race on July 21, 2018 at the Downs of Albuquerque for all but pari-mutuel wagering.

The purse redistribution is as follows

1. Secular Nation
2. Colonel Pike
3. One Stop Shop
4. Flat Fast
5. Trooper
6. Istillgotit
7. Litigator

Unplaced: Spheue

2. The horse "Spheue" must pass a commission approved examination before being eligible to enter.

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)(1) Medication Restrictions / 15.2.6.9(F)Permissible/ 15.2.6.9 NMAC Attachment 2/ Medications With Acceptable Levels /15.2.6.9(B)(4)Penalty Recommendations/ 15.2.3.8(B)(3)(k) Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

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.