



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2019-SUN-228**  
Track: Sunland Park  
Ruling Date: 4/14/2019

Licensee: GOMEZ, REYES MANUEL

License Type: 2018 3 Year Jockey      Applicant Id: 86400  
License Number: 289615

Ruling # 2019-SUN-228

Action Type: Initial Ruling

Ruling:

Jockey, Reyes Gomez, having been summoned **and having appeared** before the Board of Stewards **on April 9, 2019** for careless riding during the running of the **3rd race on April 7, 2019, at Sunland Park Racetrack** while **aboard "Enviromaniac"**. (Bore in after the start interfering with #3 causing him to check sharply and alter course.)

For this violation, the Board of Stewards assessed Reyes Gomez a suspension of **7 calendar days (April 17, 2019 thru April 23, 2019)**. Reyes Gomez 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.



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Ruling #: **2019-SUN-229**  
Track: Sunland Park  
Ruling Date: 4/14/2019

Licensee: TRUJILLO, JEFFERY J.

License Type: 2019 3 Year Trainer      Applicant Id: 18478  
License Number: 293603

Ruling # 2019-SUN-229

Action Type: Initial Ruling

Ruling:

**Trainer Jeffery Trujillo** was duly notified, and waived his right to a 10 day notice and formal hearing before the Board of Stewards on **April 14, 2019**, for failing to disclose **his complete** criminal history on **his** licensing application.

The Board of Stewards hereby fines **Jeffery Trujillo** in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **May 13, 2019**, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay the fine within the time prescribed shall result in immediate suspension.

**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.**

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) Changes In Application Information / 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):

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.



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Ruling #: **2019-SUN-230**  
Track: Sunland Park  
Ruling Date: 4/16/2019

Licensee: TAYLOR, M HEATH

License Type: Applicant Id: 3446  
License Number:

Ruling # 2019-SUN-230

Action Type: Initial Ruling

Ruling:

**Applicant: M. Heath Taylor**, having applied for a trainer's and owner's license on **April 16, 2019**, are **hereby denied**.

1. **Aggravating Factor:** Multiple Animal Medication/Drug Violations including a Class 1 violation.
2. **M. Heath Taylor** must appear before the New Mexico Racing Commission prior to any further licensing.

**Reason For Denial:**

**16.47.1.8 (L)(1)(i)** –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 adversely reflect on the honesty and integrity of horse racing”.

**16.47.1.10 (A) 3** NMAC: A trainer licensed and in good standing in another jurisdiction, having been issued within a 24 month period, and **having no record of a class 1 or 2 violation**, or has less than three class 3, 4, 5 violations in the preceding 24 month period in any jurisdiction maybe accepted if evidence of experience and qualifications are provided.

**This ruling is written in accordance with: 16.47.1.8 (L)**

**License denial:**

- (1) The commission may formally deny an application in accordance with these rules.
- (2) An application denied, if requested by the applicant, shall be reported in writing to the applicant denied stating the reasons for denial, and the date when a reapplication may be submitted.

**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**

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



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Ruling #: **2019-SUN-231**  
Track: Sunland Park  
Ruling Date: 4/16/2019

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

Ruling # 2019-SUN-231

Action Type: Initial Ruling

Ruling:

Trainer/Owner: Elliot Bachicha was duly notified and appeared by telephone before the Board of Stewards on April 16, 2019. The hearing was in regard to a certificate of analysis from Industrial Laboratories (the official testing laboratory for the NMRC) for a confirmed positive for the prohibited controlled substance (class 3 penalty B) drug "Clenbuterol" at 19 pg/ml which exceeds the authorized limit of 0pg/ml detected in the horse "My Mister Pt" (Test Sample #: E305830), who finished 2nd in the 3rd race on March 8, 2019, at Sunland Park Racetrack. Elliot Bachicha is the owner of record for horse "My Mister Pt".

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer.

For Elliot Bachicha's 2nd Class 3B medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

1. A 180 day suspension of all NMRC licenses starting May 11, 2019, through November 6, 2019, inclusive. These dates are associated with other rulings, and may become effective immediately if those rulings are amended.
2. A (\$2500.00) Twenty Five Hundred Dollar fine to be paid on or before May 15, 2019, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time will result in immediate suspension.
3. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "My Mister Pt" is hereby disqualified from SECOND PLACE and ordered unplaced from the 3rd race on March 8, 2019, at Sunland Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Atlas Sparks
2. Frozen Star
3. Sbm Mia Wild Six
4. Dust You
5. Runaway Hurricane
6. Mountbound Princess
7. James Wanta Chick
8. Big Memorys Kendy
9. Rare Valor

**Unplaced "My Mister Pt"**

Pursuant to rules 15.2.3.8 (B)(9)(a)(e)Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d)List Removal Requirements, the horse "My Mister Pt" was placed on the Stewards list for a minimum period of 60 days (beginning March 26, 2019). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

During said time of applicable suspension Elliot Bachicha, 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 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 by, owned by, 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.

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."



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Ruling #: **2019-SUN-232**  
Track: Sunland Park  
Ruling Date: 4/16/2019

Licensee: **ALVAREZ, JOSE AMADOR**  
License Type: **2017 3 Year Jockey**      Applicant Id: **32101**  
License Number: **286050**

Ruling #            2019-SUN-232  
Action Type:      Initial Ruling  
Ruling:

Jockey Jose Amador Alvarez, was duly notified **and appeared before the Board of Stewards on April 14, 2019**. The hearing was in regard to Jose Amador Alvarez, misuse of whip on his mount "Lv Golden Ticket" during the post parade for the **6th race on April 13, 2019, at Sunland Park**.

The Board of Stewards hereby fines Jose Amador Alvarez in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **May 13, 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 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.

**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) – 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"

**15.2.1.9(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):**

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.



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Ruling #: **2019-SUN-233**  
Track: Sunland Park  
Ruling Date: 4/19/2019

Licensee: CADENA,III EMILIO

License Type: 2016 3 Year Trainer      Applicant Id: 18884  
License Number: 281882

Ruling # 2019-SUN-233

Action Type: Initial Ruling

Ruling:

**Trainer Emilio Cadena III** was duly notified, and appeared before the Board of Stewards on **April 16, 2019**, for failing to disclose **his complete** criminal history on **his** licensing application.

The Board of Stewards hereby fines **Emilio Cadena III** in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **May 16, 2019**, in accordance with 15.2.3.8 (B)(3)(l). Failure to pay the fine within the time prescribed shall result in immediate suspension.

**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.**

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) Changes In Application Information / 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):

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.



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Ruling #: **2019-SUN-234**  
Track: Sunland Park  
Ruling Date: 4/19/2019

Licensee: KING, BRAD EDWARD

License Type: 2018 3 Year Owner      Applicant Id: 11070  
License Number: 291999

Ruling # 2019-SUN-234

Action Type: Initial Ruling

Ruling:

Owner, Brad King, waived his right to a 10 day notice and a formal hearing, on April 16, 2019. The hearing was in regard to Brad King failing to honor racing engagement for entry "Into Mystic", which resulted in a late scratch in the 2nd race on March 31, 2019 at Sunland Park. (Removed horse from trainers stable after entry resulting in a late scratch).

The Board of Stewards hereby fines **Brad King** in the amount of **two hundred dollars (\$200.00)**. The fine is to paid on or before May 15, 2019, 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:**

**15.2.5.8 (B) (2):** An entry shall be in the name of the horse's owner and made by the trainer or an assistant 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

**16.47.1.10 (C)(17):** 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".

**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.

**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) Changes In Application Information / 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.



New Mexico Racing Commission  
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Ruling #: 2019-SUN-235  
Track Sunland Park  
Ruling Date: 4/20/2019

Licensee: PARGA-LEOS, JAIME

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

Ruling # 2019-SUN-235

Action Type: Initial Ruling

Ruling:

Jockey, **Jaime Parga Leos**, having been summoned **and appeared** before the Board of Stewards **on April 19, 2019** for failure to make sufficient effort to control his mount during the running of the **1st race on April 13, 2019, at Sunland Park Racetrack** while **aboard "Close to Crazy"**.

For this violation, the Board of Stewards assessed **Jaime Parga Leos** a fine in the amount of \$200. The fine is to be paid on or before May 18, 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)(d) NMAC: Post to Finish (d)** 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.

**15.2.1.9(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."





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Ruling #: **2019-SUN-236**  
Track: Sunland Park  
Ruling Date: 4/20/2019

Licensee: RICHARDSON, JEANNINE LOUISE  
License Type: 2018 3 Year Owner      Applicant Id: 31103  
License Number: 292241

Ruling # 2019-SUN-236

Action Type: Initial Ruling

Ruling:

Owner Jeannine L. Richardson was duly notified and failed to appear before the Board of Stewards, and had her hearing in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, on April 20, 2019. The hearing was in regard to a confirmed positive for the therapeutic drug Dexamethasone (class 4C major), found in test sample #E276375. The test sample was taken from the second place finisher "J J's Event" following the 6th race on July 8, 2018 at the Downs of Albuquerque.

The certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) indicated a finding of Dexamethasone at 26.3 +/- 2.2 pg/ml in the blood, which exceeds the limit of 5.0 pg/ml per 15.2.6.9 NMAC Attachment 2

Split sample rights were afforded to the trainer and conformed at 11 +/- 2 pg/ml by TVMDL.

Bart Hone was the trainer of record for the horse "J J's Event" at the time of the violation.

In accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Jeannine L. Richardson First Class 4C MAJOR medication violation in a 365-day period. The Board of Stewards hereby assess penalty as follows:

1. The horse "J J's Event" is hereby disqualified from second place and ordered unplaced from the 6th race on July 8, 2018 at the Downs of Albuquerque for all but pari-mutuel wagering.

The purse redistribution is as follows

- 1) Comin Sundown
  - 2) Disclosed
  - 3) Charles Soldier
  - 4) Jimnjacknhank
  - 5) Malusita's Home
  - 6) The Ghost of Dixie
  - 7) Raise the Banner
- Unplaced: J J's Event

2. The horse "J J's Event" 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.



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Ruling #: **2019-SUN-237**  
Track: Sunland Park  
Ruling Date: 4/20/2019

Licensee: MUELA, JOSE LUIS

License Type: Applicant Id: 32421  
License Number:

Ruling # 2019-SUN-237

Action Type: Initial Ruling

Ruling:

**Trainer Jose Luis Muela** having been duly notified **and had his hearing in accordance with 15.2.1.9(B)(4)(d)**, before the Board of Stewards on **April 19, 2019**, for failure to declare equipment **(Flipping Halter ON)** at time of entry for **"Shameless"**, entered in **the 3rd race on April 13, 2019 at Sunland Park Racetrack.**

For this rule violation, the Board of Stewards assessed **Jose Luis Muela** a penalty in the amount of **two hundred dollars (\$ 200.00)**. The fine is to paid on or before **May20, 2019**, in accordance with 15.2.3.8(B)(3)(l) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

**Licensee is found to be in violation of:**

**15.2.5.8 (B)(10) Procedure For Entries** Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

**15.2.5.8 (B)(6) Procedure For Entries** No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

**15.2.5.13 (A)(6) Equipment For The Running Of The Race:** No licensee may add blinkers to a horse's equipment or discontinue their use without the prior approval of the starter, the paddock judge, and the stewards.

**15.2.6.11(E)(10)Trainer Responsibility** The trainer is responsible for ensuring proper bandages, equipment and shoes.

**This ruling is written in accordance with:**

**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**

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

By Order of The Sunland Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2019-SUN-238**  
Track: Sunland Park  
Ruling Date: 4/20/2019

Licensee: HARRIS, CLAY AUBREY

License Type: 2018 3 Year Owner      Applicant Id: 11131  
License Number: 290573

Ruling # 2019-SUN-238

Action Type: Initial Ruling

Ruling:

Owner Clay A. Harris was duly notified and failed to appear before the Board of Stewards, and had his hearing in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, on April 20, 2019. The hearing was in regard to a confirmed positive for the therapeutic drug Dexamethasone (class 4C major) and Betamethasone (Class 4C Major), found in test sample #E276388. The test sample was taken from the first place finisher "Kar Keen" following the 6th race on July 8, 2018 at the Downs of Albuquerque.

The certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) indicated a finding of Dexamethasone at 78.5 +/- 3.1 pg/ml in the blood, which exceeds the limit of 5.0 pg/ml per and Betamethasone at 34.8 +/- 2.7 which exceeds the limit of 10 pg/ml per 15.2.6.9 NMAC Attachment 2

Split sample rights were afforded to the trainer and confirmed Dexamethasone at 66 +/- 12 pg/ml and Betamethasone at 21 +/- 4 pg/ml by TVMDL. Bart Hone was the trainer of record for the horse "Kar Keen" at the time of the violation.

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

1. The horse "Kar Keen" is hereby disqualified from first place and ordered unplaced from the 1st race on July 11, 2018 at the Downs of Albuquerque for all but pari-mutuel wagering.

The purse redistribution is as follows

- 1) Hurricane Status
- 2) Just Plumb Bob
- 3) Touch of Mischief
- 4) K G's Pro
- 5) Golden Cadet
- 6) Don't Tell Jay
- 7) Gavilan Diablo

Unplaced: "Kar Keen"

2. The horse "Kar Keen" 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.



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Ruling #: **2019-SUN-239**  
Track: Sunland Park  
Ruling Date: 4/20/2019

Licensee: **BALDWIN, BESSIE JOLENE**  
License Type: **2018 1 Year Pony Pers** Applicant Id: **160556**  
License Number: **290637**

Ruling # 2019-SUN-239

Action Type: Initial Ruling

Ruling:

**Pony Person Bessie Baldwin** is hereby summarily suspended, effective immediately **April 20, 2019**, pending the outcome of **her** hearing on **April 28, 2019, @ 9:45 a.m.** in the offices of the **Board of Stewards at Sunland Park Racetrack (1200 Futurity Drive Sunland Park, New Mexico 88063)** per **15.2.1.9 (B)(3)(b) Summary Suspension**, for refusing to submit to a random drug test on **April 20, 2019 as ordered by the Board of Stewards.**

During said time of applicable suspension **Bessie Baldwin** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per **15.2.1.9 (C)(21)(a-b) Exclusion.**

**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.

**15.2.1.9(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

**16.47.1.17 (A)(1) TESTING PROCEDURES** At its discretion, the commission may conduct random or episodic random drug testing, as well as testing based on reasonable suspicion, in order to ensure safety on the racetrack.

**16.47.1.17 (A)(2) TESTING PROCEDURES** When conducted, random drug testing shall apply, equally, to all licensees who are, at the time of the random testing, exercising the privileges of their license in such ways as may affect the outcome of a race or diminish the conditions of safety or decorum required in restricted areas.

**16.47.1.17 (C)(6) Human Drug Testing/ Restricted Activities** It shall be an offense to exercise the privileges granted by a license from this commission if the licensee: refuses to submit to urine or drug testing, when notified that such testing is based on a random drug testing procedure, is based on reasonable suspicion that the person is using drugs or alcohol or is based on the licensee's acting as if in an impaired condition.

**16.47.1.18 (B) ASSESSMENT/TREATMENT REQUIREMENTS GENERAL FIRST-TIME OFFENDERS**

**16.47.1.17 (A)(3) TESTING PROCEDURES** No notice need be given as to onset or cessation of random testing.

**16.47.1.8 (E) Consent to Search and Seizure** By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents, and to the seizure of any prohibited medication, drugs, paraphernalia, or devices in accordance with State and Federal law.

**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.

**15.2.1.8(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) Changes In Application Information 15.2.2.8(V)(1) EJECTION AND EXCLUSION** An association shall immediately eject from the association grounds a person who is subject to such an exclusion order of the commission or stewards and notify the commission of the ejection.

**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."

*[Handwritten signatures of three individuals]*



New Mexico Racing Commission  
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Ruling #: **2019-SUN-240**  
Track: Sunland Park  
Ruling Date: 4/21/2019

Licensee: **BOBROFF, JACQUELYN A**  
License Type: **2018 3 Year Jockey**      Applicant Id: **30189**  
License Number: **290445**

Ruling #            2019-SUN-240

Action Type:      Initial Ruling

Ruling:

Jockey **Jacquelyn Bobroff**, was duly notified and having appeared before the Board of Stewards on April 20, 2019. The hearing was in regard to **Jacquelyn Bobroff** misuse of whip on her mount "Runaway Hurricane" during the post parade for the 2nd race on April 19, 2019, at Sunland Park.

The Board of Stewards hereby fines **Jacquelyn Bobroff** in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before May 21, 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 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.

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) – 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"

15.2.1.9(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/

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.

*Travis Smith      Victor Esch      Ruben Pineda*



New Mexico Racing Commission  
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Ruling #: **2019-SUN-241**  
Track: Sunland Park  
Ruling Date: 4/21/2019

Licensee: SCHELLHAMER, JAKE FRANCIS  
License Type: 2019 1 Year Assistant S Applicant Id: 160526  
License Number: 292740

Ruling # 2019-SUN-241

Action Type: Initial Ruling

Ruling:

**Assistant Starter Jake Schelhammer** is hereby summarily suspended, effective immediately **April 20, 2019**, pending the outcome of **his** hearing on **April 23, 2019, @ 9:00 a.m.** in the offices of the **Board of Stewards at Sunland Park Racetrack (1200 Futurity Drive Sunland Park, New Mexico 88063)** per **15.2.1.9 (B)(3)(b) Summary Suspension**, for refusing to submit to a random drug test on **April 20, 2019 as ordered by the Board of Stewards.** During said time of applicable suspension **Jake Schelhammer** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per **15.2.1.9 (C)(21)(a-b) Exclusion.**

**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.

**15.2.1.9(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

**16.47.1.17 (A)(1) TESTING PROCEDURES** At its discretion, the commission may conduct random or episodic random drug testing, as well as testing based on reasonable suspicion, in order to ensure safety on the racetrack.

**16.47.1.17 (A)(2) TESTING PROCEDURES** When conducted, random drug testing shall apply, equally, to all licensees who are, at the time of the random testing, exercising the privileges of their license in such ways as may affect the outcome of a race or diminish the conditions of safety or decorum required in restricted areas.

**16.47.1.17 (C)(6) Human Drug Testing/ Restricted Activities** It shall be an offense to exercise the privileges granted by a license from this commission if the licensee: refuses to submit to urine or drug testing, when notified that such testing is based on a random drug testing procedure, is based on reasonable suspicion that the person is using drugs or alcohol or is based on the licensee's acting as if in an impaired condition.

**16.47.1.18 (B) ASSESSMENT/TREATMENT REQUIREMENTS GENERAL FIRST-TIME OFFENDERS**

**16.47.1.17 (A)(3) TESTING PROCEDURES** No notice need be given as to onset or cessation of random testing.

**16.47.1.8 (E) Consent to Search and Seizure** By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents, and to the seizure of any prohibited medication, drugs, paraphernalia, or devices in accordance with State and Federal law.

**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.

**15.2.1.8(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) Changes In Application Information 15.2.2.8(V)(1) EJECTION AND EXCLUSION** An association shall immediately eject from the association grounds a person who is subject to such an exclusion order of the commission or stewards and notify the commission of the ejection.

**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."

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Ruling #: **2019-SUN-243**  
Track: Sunland Park  
Ruling Date: 4/21/2019

Licensee: **RICHARDSON, JEANNINE LOUISE**  
License Type: **2018 3 Year Owner**      Applicant Id: **31103**  
License Number: **292241**

Ruling #      2019-SUN-243

Action Type:      Initial Ruling

Ruling:

Owner **Jeannine L. Richardson** was duly notified and failed to appear before the Board of Stewards, and had **her** hearing in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, on **April 21, 2019**. The hearing was in regard to a confirmed positive for the therapeutic drug **Dexamethasone (class 4C major)**, found in test sample **#E276729**. The test sample was taken from the **second place finisher "J J's Event"** following **the 8th race on July 29, 2018 at the Downs of Albuquerque**.

The certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** indicated a finding of **Dexamethasone at 20.8 +/- 2.5 pg/ml in the blood, which exceeds the limit of 5.0 pg/ml per 15.2.6.9 NMAC Attachment 2**

Split sample rights were afforded to the trainer and conformed at 13 +/- 2 pg/ml by TVMDL.

**Bart Hone was the trainer of record for the horse "J J's Event" at the time of the violation.**

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

1. The horse **"J J's Event"** is hereby disqualified from **second place** and ordered unplaced from the **8th race on July 29, 2018 at the Downs of Albuquerque** for all but pari-mutuel wagering.

The purse redistribution is as follows

- 1) Just Plumb Bob
- 2) Ramblin Touch
- 3) Borrachos Dream
- 4) I'm a Sky Pilot
- 5) Jimnjacknhank
- 6) Blazin Jeffrey
- 7) Cordes
- 8) W F All That Jazz
- 9) Malusita's Home
- 10) Rey Ransom

Unplaced: J J's Event

2. The horse J J's Event is placed on veterinarian's list for 45 days starting April 21, 2019.

3. The horse J J's Event must pass a commission approved exam 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 / 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  
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Ruling #: **2019-SUN-244**  
Track: Sunland Park  
Ruling Date: 4/21/2019

Licensee: LAMBERT, SR CLIFFORD C.

License Type: Applicant Id: 23359  
License Number:

Ruling # 2019-SUN-244

Action Type: Initial Ruling

Ruling:

**Trainer Clifford C. Lambert**, having been duly notified and having waived his rights to a 10 day notice and formal hearing before the Board of Stewards on **April 20, 2019**, regarding a security citation for working unlicensed help, **Alejandro Bosquez, on April 19, 2019, at Sunland Park Racetrack.**

The Board of Stewards assessed **Clifford C. Lambert** a penalty in the amount of **two hundred dollars (\$200).** The fine is to be paid on or before **May 20, 2019**, in accordance with 15.2.3.8(B)(3)(I) NMAC.

Failure to pay this fine within the time prescribed may result in immediate suspension.

**Licensee is found to be in violation of:**

16.47.1.8 (G)(1) Which states in pertinent part "The employment of any unlicensed person under the jurisdiction of the Commission is prohibited".

**This ruling is written in accordance with:**

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (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

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

15.2.1.9(b):

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

By Order of The Sunland Park Stewards