



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-212
Track Sunland Park
Ruling Date: 4/1/2018

Licensee: POBLANO, JUAN ERNESTO
License Type: 2016 3 Year Owner Applicant Id: 35356
License Number: 282543

Ruling # 2018-SUN-212
Action Type: Modified Ruling
Ruling:

RE: 2018-SUN-212 - Modified Ruling to correct Fine omitted .

Owner Juan Poblano was duly notified, failed to appear, and had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board of Stewards on April 1, 2018, for a hearing that was continued from January 21, 2018. The hearing was in regard to an certificate of analysis from UC/Davis (official testing laboratory for the NMRC), for a confirmed positive for the prohibited Class 3B drug "clenbuterol" detected in horse "First Fancy Tac" (test sample #NC26354) during Out Of Competition Testing on February 6, 2017, at Sunland Park Racetrack in Sunland Park NM . Clebuterol was confirmed in the Split Sample sent to Industrial Laboratories on May 4, 2017.

Trainer Raul Vega, the trainer of record for horse "First Fancy Tac", was duly notified and represented by attorney Daniel Marquez for this hearing.

In accordance with 15.2.6.9 (B)(2) Penalty Recommendations, This is Raul Vega's FOURTH Class 3B medication violation in a lifetime.

For owner Juan Poblano's FIFTH Class 3B medication violation in a lifetime, issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards issue a penalty as follows.

1.. A (\$5,000.00) five thousand dollar fine for the 5th Class B violation, to paid on or before May 18, 2018, in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time may result in an immediate suspension.

2. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(c), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d), the horse "First Fancy Tac" was placed on the Stewards list for a period of 60 days (beginning April 14, 2017). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(1)(3)(7)(c)(8) Medication Restrictions/ 15.2.6.9(J)(2)(d)(3) Out of Competition Testing/ 16.47.1.8(L)(i)(T) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license/ 15.2.6.9 (B)(2) Penalty Recommendations

15.2.1.9(b):

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-130
Track Sunland Park
Ruling Date: 3/3/2018

Licensee: ARREOLA, JR ARMANDO

License Type: 2018 3 Year Owner Applicant Id: 30151
License Number: 288803

Ruling # 2018-SUN-130
Action Type: Modified Ruling

Ruling:

RE: 2018-SUN-130 - Modified Ruling

15.2.3.8 B (1)(e) The stewards shall have the authority to amend, revoke, rescind or modify any ruling that they issued in error in accordance with the laws of this state and these rules.

Owner Armando Arreola Jr., 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 27, 2018. The hearing was in regards to a **certificate of analysis** from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Guanabenz" detected in the urine of horse "Leona Who" (**Test Sample #: NM29577**), who finished 2nd place in the 1st race on December 5, 2017, at Zia Park Racetrack in Hobbs, NM. Guanabenz was confirmed in the split sample sent to TVMDL on February 3, 2018.

Javier Borunda, the **trainer** of record for horse "Leona Who", was duly notified and failed to appear for this hearing. This is Javier Borunda's THIRD Class 3B medication violation in a lifetime.

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

1. Pursuant to **15.2.6.9 (B)(2) Penalty Recommendations**, the horse "Leona Who" must pass a commission approved exam before being eligible to enter.
2. The horse "Leona Who" is hereby disqualified from **SECOND PLACE** and ordered unplaced from the **1st race on December 5, 2017, at Zia Park Racetrack**, for all but pari-mutuel wagering. The purse redistribution is as follows.
 - 1) Money Order
 - 2) Exactly Like You
 - 3) Infinite Gal
 - 4) Waytogohome
 - 5) Rolling GhostUnplaced "Leona Who"

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 16.47.1.8(T)Knowledge of Rules/ 16.47.1.8(U)Protection of Horses/15.2.6.9(B)(2) Penalty Recommendations **15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Sunland Park Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SUN-129
Track Sunland Park
Ruling Date: 3/3/2018

Licensee: BORUNDA, JAVIER
License Type: 2017 3 Year Trainer Applicant Id: 27217
License Number: 284811

Ruling # 2018-SUN-129
Action Type: Modified Ruling
Ruling:

RE: 2018-SUN-129 - Modified Ruling **15.2.3.8 B (1)(e)** The stewards shall have the authority to amend, revoke, rescind or modify any ruling that they issued in error in accordance with the laws of this state and these rules.

Trainer **Javier Borunda** 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 27, 2018**. The hearing was in regards to a **certificate of analysis**, from UC/Davis (official testing laboratory for the NMRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Guanabenz" detected in the urine of horse "**Leona Who**" (**Test Sample #: NM29577**), who **finished 2nd place in the 1st race on December 5, 2017, at Zia Park Racetrack in Hobbs, NM**. Guanabenz was confirmed in the split sample sent to **TVMDL** on **February 3, 2018**.

Armando Arreola Jr., the owner of record for horse "**Leona Who**", was duly notified and failed to appear for this hearing. This is **Armando Arreola Jr.'s FIRST Class 3B medication violation in a lifetime**.

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

1. **A 6 month suspension** of all NMRC licenses starting **March 9, 2018, through September 6, 2018 inclusive**.
2. A **(\$3,000.00) three thousand dollar fine to paid on or before April 3, 2018**, in accordance with **15.2.3.8 (B)(3)(l)**. Failure to pay fine in prescribed time may result in an immediate suspension.

During said time of applicable suspension, Javier Borunda 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, Javier Borunda 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 in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/ 15.2.6.11(A)Trainer Responsibility/16.47.1.8(T)Knowledge of Rules/ 16.47.1.8(U)Protection of Horses/16.47.1.10(B)(1)(2)(3)Absolute Insurer/15.2.6.9(B)(2) Penalty Recommendations **15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Sunland Park Stewards

Appeal Filing Deadline: 15.2.1.9(B) (9) (b) NMAC: Which states in pertinent part that "An appeal under this section must be filed not later than 10 days from the date of the ruling. The appeal must be filed at the main Commission offices, or with the Stewards who issued the ruling.