



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-88
Track SunRay Park
Ruling Date: 5/28/2018

Licensee: SHULTS, CHARLES DUKE
License Type: 2015 3 Year Trainer Applicant Id: 5343
License Number: 278064

Ruling # 2018-SRP-88
Action Type: Initial Ruling
Ruling:

Trainer **Charles Duke Shults** appeared **Telephonically** before the Board of Stewards on **May 28, 2018, at SunRay Park Racetrack** concerning an **outstanding financial obligation (court judgment) to Michael Scott Hamilton.**

Michael Scott Hamilton notified the board of Steward the financial obligation in the amount of \$9990.00, and 08.7% interest for NSF Ruling #2018-SRP-37 has been paid on May 28, 2018.

Licensee is found in Violation of:

16.47.1.8 L (1)(J) NMAC: Grounds For Refusal, Denial, Suspension, or Revocation of License
16.47.1.8 (I): Financial Responsibility

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to Charles Duke Shults be reinstated and in good standings having paid the fine **Ruling #2018-SRP on May 28, 2018**

This ruling in written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (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 SunRay 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-SRP-89
Track SunRay Park
Ruling Date: 5/28/2018

Licensee: RIOS, GUSTAVO

License Type: 2017 3 Year Trainer Applicant Id: 16097
License Number: 286898

Ruling # 2018-SRP-89

Action Type: Initial Ruling

Ruling:

Trainer **Gustavo Rios** having been duly notified telephonically and waived a hearing before the Board of Stewards on **May 28, 2018**, for failure to bring a water bucket to the test barn on May 27, 2018 at SunRay Park Racetrack.

This conduct, action, or omission has resulted in charges or allegation against you that you are in violation of the following New Mexico Racing Commission Rules and or Policy.

15.2.2.8 (O)(2) Test Barn The test barn must be equipped with a walk ring that is large enough to accommodate 10 horses; at least three enclosed stalls that permit observation of the collection process and provide for the protection of collection personnel; facilities and equipment for the collection, identification and storage of samples; a wash rack that is large enough to accommodate three horses at the same time; hot and cold running water; *clean water buckets supplied by the trainer for each horse.*

15.2.3.8 B (3)(f) 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

For this rule violation, the Board of Stewards assessed **Gustavo Rio** a penalty in the amount of **fifty dollars (\$ 50.00)**. The fine is to paid on or before **June 28, 2018** in accordance with 15.2.3.8(B)(3)(1) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

By Order of The SunRay Park Stewards

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



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: 2018-SRP-90
Track SunRay Park
Ruling Date: 5/28/2018

Licensee: RAMIREZ,SR JOSE FRANCISCO
License Type: 2016 3 Year Trainer Applicant Id: 11970
License Number: 280810

Ruling # 2018-SRP-90

Action Type: Initial Ruling

Ruling:

Trainer: Jose F. Ramirez Sr., having been duly notified, but 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 May 28, 2018, regarding a lab report from UC Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse "Gata Moolah Jr." (Test Sample #: NM 14494), who finished 4th in the 3rd race on August 1, 2015 at Ruidoso Downs Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to Jose F. Ramirez Sr and declined.

Jose F. Ramirez Jr, owner of record for the horse "Gata Moolah Jr"

Licensee is found in violation of

15.2.6.9(C)(1) : prima facie evidence Which states that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race (b) therapeutic medications in excess of established acceptable levels".

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

MITIGATING CIRCUMSTANCES="ARCI" RULES IN EFFECT IN 2015.

For Jose F. Ramirez Sr's 2nd Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (B)(2) Penalty

Recommendations, the Board of Stewards assessed a penalty as follows:

1. **A 30 day suspension** of all NMRC licenses starting March 29, 2019, through April 28, 2019 inclusive. These dates are associated with other rulings, and may become effective immediately if those rulings are amended.

2. **(\$1000.00) One Thousand dollar fine to paid on or before June 28, 2018**, in accordance with 15.2.3.8 (B)(3)(I) . Failure to pay fine in prescribed time may result in an immediate suspension.

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

This ruling is written in accordance with

15.2.6.11(A)(B) NMAC: Trainer Responsibility

16.47.1.10(B)(1)(2) NMAC: Absolute Insurer Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

15.2.5.13(E)(4)(d) : Stewards General Authority 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."

15.2.3.8 B (3)(f) 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

15.2.1.9(B)(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."



New Mexico Racing Commission
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Ruling #: 2018-SRP-91
Track SunRay Park
Ruling Date: 5/28/2018

Licensee: RAMIREZ, JR JOSE FRANCISCO
License Type: 2015 3 Year Owner Applicant Id: 6996
License Number: 279080

Ruling # 2018-SRP-91

Action Type: Initial Ruling

Ruling:

Owner: Jose F. Ramirez Jr., having been duly notified and having responded telephonically before the Board of Stewards on May 28, 2018, regarding a lab report from UC Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in horse "Gata Moolah Jr." (Test Sample #: NM 14494), who finished 4th in the 3rd race on August 1, 2015 at Ruidoso Downs Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded and declined.

Jose F. Ramirez Sr, Trainer of record for the horse "Gata Moolah Jr"

Licensee is found in violation of

15.2.6.9(C)(1) : prima facie evidence Which states that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race (b) therapeutic medications in excess of established acceptable levels".

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

MITIGATING CIRCUMSTANCES= 'ARCI' RULES IN EFFECT IN 2015.

MITIGATING CIRCUMSTANCES= Horse "Gata Moolah Jr" is deceased

For Jose F. Ramirez Jr's 1st Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (B)(2) Penalty

Recommendations, the Board of Stewards assessed a penalty as follows:

1. The horse "Gata Moolah Jr" is hereby disqualified from Fourth PLACE and ordered unplaced from the 3rd race on August 1st, 2015 at Ruidoso Downs, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Brooks Gem
2. See Here Now
3. Duce Coup
4. My Memory Lane
5. Reacorona Jr
6. Habit Rabbit
7. Ohs of Oaks

Unplaced "Gata Moolah Jr"

This ruling is written in accordance with

15.2.5.13(E)(4)(d) : Stewards General Authority 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."

15.2.3.8(B)(3)(k): Redistribution of Purses and Prizes/ 15.2.5.13(E)(4)(d)

15.2.3.8 B (3)(f) 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

15.2.1.9(B)(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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-92
Track SunRay Park
Ruling Date: 6/1/2018

Licensee: ESPINOZA, LEONARD ALLEN
License Type: 2016 3 Year Trainer Applicant Id: 20712
License Number: 281582

Ruling # 2018-SRP-92

Action Type: Initial Ruling

Ruling:

Trainer **Leonard A. Espinoza** having been duly notified appeared telephonically before the Board of Stewards on **June 1, 2018**, for failure to have his entry, **Starry Cielo** in the paddock at the designated time for the **7th race on May 28, 2018**, at SunRay Park Racetrack.

Licensee is found to be in violation of:

16.47.1.10 (C) (22) presenting his/her horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;

For this rule violation, the Board of Stewards assessed **Leonard A. Espinoza** a penalty in the amount of **Two hundred dollars (\$200.00)**. The fine is to be paid on or before **July 1, 2018**, in accordance with 15.2.3.8(B)(3)(l) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-93
Track: SunRay Park
Ruling Date: 6/2/2018

Licensee: VIGIL, ALAN A
License Type: 2018 1 Year Owner Applicant Id: 17745
License Number: 290081

Ruling # 2018-SRP-93

Action Type: Initial Ruling

Ruling:

Owner Alan A. Vigil is hereby suspended, effective June 2, 2018 having failed to furnish the commission with a set of fingerprints.

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

Licensee is found to be in violation of:

16.47.1.8 (a) (3): Which states licensees shall furnish the commission a set of fingerprints and a photograph. Any license applicant that is under the age of 18 years of age is exempt from the requirement to submit a fingerprint card.

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

By Order of The SunRay 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-SRP-94
Track SunRay Park
Ruling Date: 6/3/2018

Licensee: MIRANDA, RAMIRO
License Type: 2017 3 Year Owner Applicant Id: 159913
License Number: 285900

Ruling # 2018-SRP-94

Action Type: Initial Ruling

Ruling:

Owner: Ramiro Miranda having been duly notified, and failed to appear before the Board of Stewards on May 27, 2018, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC) for a confirmed positive for the prohibited (class 3 penalty B) drug "Clenbuterol" detected in the amount of 147 pg per milliliter the horse "Telequest" (Test Sample #: NM 30489), who finished 1st in the 7th race on April 17, 2018, at Sunland Park. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to Ramiro Miranda and declined.

Licensee is found in violation of

15.2.6.9(C)(1-2-3) NMAC: Which states that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race (b) therapeutic medications in excess of established acceptable levels".
15.2.6.9(C)(3) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

For **Ramiro Miranda** 2nd Class 3B medication violation in a 365 day period issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, the Board of Stewards assessed a penalty as follows.

1. 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 "Telequest" is placed on the Stewards list for a minimum period of 60 days (beginning **May 2nd, 2018**). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

2. The horse "Telequest" is hereby disqualified from 1st Place and ordered unplaced from the 7th race on April 17, 2018 at Sunland Park for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Sweet Platinum
2. Signature Cat
3. Chachas Special
4. Circustown Flyer
5. Roman Pleasure
6. Mr.Moo
7. May Weather
8. Ignored
9. Mega Souce
10. Prince of Prague

Unplaced "Telequest"

This ruling is written in accordance with:

15.2.3.8(B)(3)(k): Redistribution of Purses and Prizes/ 15.2.5.13(E)(4)(d) : Stewards General Authority/ 15.2.3.8 B (3)(f) 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 (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.

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 SunRay Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-95
Track SunRay Park
Ruling Date: 6/3/2018

Licensee: ESCOBAR, RENEE BARBARA

License Type: 2018 1 Year Horseman' Applicant Id: 27207
License Number: 289301

Ruling # 2018-SRP-95

Action Type: Initial Ruling

Ruling:

The Bookkeeper License #28901 issued to **Renee Escobar** is hereby **rescinded without prejudice** as she has appeared before the Board of Stewards on **June 3, 2018**, and stated she is no longer working as a bookkeeper.

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license.

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 SunRay 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.