



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-96
Track SunRay Park
Ruling Date: 6/8/2018

Licensee: Lull, Richard Edward

License Type: 2018 1 Year Jockey Applicant Id: 159857
License Number: 290263

Ruling # 2018-SRP-96

Action Type: Initial Ruling

Ruling:

Jockey, **Richard E. Lull**, having been summoned and having appeared before the Board of Stewards on June 8, 2018, for careless riding during the running of **the 6th race on June 4, 2018**, while aboard **#8 "Raider Red"** which resulted in his mount being disqualified from 4th place to 6th place. (for interference going into the turn).

Licensee is found in violation of:

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.

15.2.5.13(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

6.47.1.8. T. KNOWLEDGE OF RULES:

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

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 **Richard Lull** a suspension of **5 calendar days (June 11, 2018 through June 15, 2018)**. **Richard Lull** is allowed to ride designated races.

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.

Victor Escobedo *Ron Walth*

Ronda Salinas



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-97
Track SunRay Park
Ruling Date: 6/9/2018

Licensee: MUNOZ, JR GUADALUPE

License Type: 2017 3 Year Trainer Applicant Id: 21993
License Number: 285906

Ruling # 2018-SRP-97

Action Type: Initial Ruling

Ruling:

Trainer **Guadalupe Munoz Jr.** having been duly notified appeared telephonically before the Board of Stewards on **June 9, 2018**, for failure to have his entry, "**Comin to Your Town**" in the paddock at the designated time for the **9th race on June 8, 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 **Guadalupe Munoz Jr.** a penalty in the amount of **One hundred dollars (\$100.00)**. The fine is to be paid on or before **July 9, 2018**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

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.

Victor Escobar *Don Walker* *Linda Salinas*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-98
Track SunRay Park
Ruling Date: 6/9/2018

Licensee: MEGARIZ,III MICHAEL

License Type: 2015 3 Year Trainer Applicant Id: 16966
License Number: 279624

Ruling # 2018-SRP-98

Action Type: Initial Ruling

Ruling:

Trainer **Michael Megariz III** having been duly notified appeared telephonically and waived a formal hearing before the Board of Stewards on June 9, 2018 for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**Jessa Louisiana Tee**", entered in the **4th race on June 8, 2018** at SunRay Park Racetrack.

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.

For this rule violation, the Board of Stewards assessed **Michael Megariz III** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **July 9, 2018** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

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.

Victor Escobar

Linda Salinas

For Walth



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-99
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: GONZALEZ,SR JOSE R

License Type: 2018 3 Year Trainer Applicant Id: 19527
License Number: 289496

Ruling # 2018-SRP-99

Action Type: Initial Ruling

Ruling:

Trainer **Jose R. Gonzalez Sr.** having been duly notified telephonically and waved a formal hearing before the Board of Stewards on **June 10, 2018**, for failure to appear in the paddock with entry, "**Rueben Cogburn**", which resulted in a late scratch and mutuel refund in the **1St** race on **June 9, 2018** at SunRay Park Race Track.

Licensee is found in violation of .

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

For this rule violation, the Board of Stewards assessed **Jose R. Gonzalez Sr.** a penalty in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **July 10, 2018** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

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-100
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: RAMOS, JR WALTER JESUS
License Type: 2018 1 Year Jockey Ag Applicant Id: 34831
License Number: 289437

Ruling # 2018-SRP-100

Action Type: Initial Ruling

Ruling:

Jockey Agent **Walter Ramos Jr.** having been duly notified waived a hearing and appeared before the Board of Stewards on **June 10, 2018**, for failure to conduct business in a proper manner.

Licensee is found to be in violation of:

16.47.1.13 (C) JOCKEY AGENT RESPONSIBILITY All persons permitted to make riding engagements shall maintain current and accurate records of all engagements made, such records being subject to examination by the stewards at any time.

16.47.18. L (1) NMAC – Grounds for Refusal, Denial, Suspension, or Revocation of License.(i) 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;

15.2.3.8 B (1) (d) Stewards General authority. The stewards have the authority to interpret the rules and to decide all questions of racing nospecifically 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.

For this violation, the Board of Stewards assessed **Walter Ramos** a fine in the amount of **Five hundred dollars (\$500.00)**. The fine is to be paid on or before **July 10, 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

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-101
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: GUTIERREZ, LEE JOHN

License Type: 2018 1 Year Trainer Applicant Id: 28848
License Number: 290247

Ruling # 2018-SRP-101

Action Type: Initial Ruling

Ruling:

Trainer: Lee Gutierrez, having been duly notified and appeared to waive his right to a hearing before the Board of Stewards on June 9, 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 "Isaiahcoltfortyfive" (Test Sample #: NM 30712), who finished 2nd in the 1st race on May 6, 2018 at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **Lee Gutierrez**, and confirmed by Industrial Labs.

Lee Gutierrez, owner of record for horse "Isaiahcoltfortyfive".

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".

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.

For Lee Gutierrez's FIRST 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 **June 11, 2018, through July 10, 2018, inclusive.**

2. **(\$750.00) Seven Hundred and Fifty dollar fine to paid on or before July 10, 2018**, in accordance with **15.2.3.8 (B)(3)(I)** . Failure to pay fine in prescribed time may result in an immediate suspension.

3. Pursuant to rules **15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7), 15.2.6.9(C)(5)(c), 15.2.6.9(C)(4)**, the horse "Isaiahcoltfortyfive" is placed on the Stewards list for a period of 60 days (beginning **May 16, 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.

During said time of applicable suspension, **Lee Gutierrez** 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 of **Lee Gutierrez** 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."

15.2.1.9(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-102
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: GUTIERREZ, LEE JOHN

License Type: 2018 1 Year Trainer Applicant Id: 28848
License Number: 290247

Ruling # 2018-SRP-102

Action Type: Initial Ruling

Ruling:

Trainer: Lee Gutierrez, having been duly notified and appeared to waive his right to a hearing before the Board of Stewards on June 9, 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 "Woodacoodadid" (Test Sample #: NM 32275), who was scratched from the 8th race on May 11, 2018 at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **Lee Gutierrez**, and declined.

Anthony C. Chavez, owner of record for horse "Woodacoodadid".

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".

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.

For Lee Gutierrez's SECOND 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 60 day suspension of all NMRC licenses starting July 11, 2018, through September 8, 2018, inclusive. These dates are associated with other rulings, and may become effective immediately if those rulings are amended.

2. (\$1500.00) Fifteen Hundred dollar fine to paid on or before July 10, 2018, in accordance with 15.2.3.8 (B)(3)(I) . Failure to pay fine in prescribed time may result in an immediate suspension.

3. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7), 15.2.6.9(C)(5)(c), 15.2.6.9(C)(4), the horse "Isaiahcoltfortyfive" is placed on the Stewards list for a period of 60 days (beginning May 16, 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.

During said time of applicable suspension, **Lee Gutierrez**, 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 of **Lee Gutierrez**, 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."

15.2.1.9(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-103
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: CARRETE, JESUS J.

License Type: 2018 3 Year Trainer Applicant Id: 3671
License Number: 289520

Ruling # 2018-SRP-103

Action Type: Initial Ruling

Ruling:

Trainer **Jesus J Carrete** having been duly notified appeared telephonically and waived a hearing before the Board of Stewards on June 10, 2018 for failure to declare equipment (**Flipping Halter Off**) at time of entry for "**Osbaldo Blue Diamond**", entered in the **4th race on June 9, 2018** at SunRay Park Racetrack.

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.

For this rule violation, the Board of Stewards assessed **Jesus J. Carrete** a penalty in the amount of **one hundred dollars (\$ 100.00)**. The fine is to paid on or before **July 10, 2018** in accordance with 15.2.3.8(B)(3) (I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

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-104
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: GUTIERREZ, LEE JOHN

License Type: 2015 3 Year Owner Applicant Id: 28848
License Number: 279083

Ruling # 2018-SRP-104

Action Type: Initial Ruling

Ruling:

Owner: Lee Gutierrez, having been duly notified and appeared to waive his right to a hearing before the Board of Stewards on June 9, 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 "Isaiahcoltfortyfive" (Test Sample #: NM 30712), who finished 2nd in the 1st race on May 6, 2018 at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to Lee Gutierrez, and confirmed by Industrial Labs.

Lee Gutierrez, is the trainer of record for horse "Isaiahcoltfortyfive".

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".

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.

For Lee Gutierrez's **FIRST 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 "Isaiahcoltfortyfive" is placed on the Stewards list for a minimum period of 60 days (beginning May 16th, 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 "Isaiahcoltfortyfive" is hereby disqualified from 2nd Place and ordered unplaced from the 1st race on May 6, 2018 at Sunray Park for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Swizzlon Moments
 2. Cartel for Reel
 3. El Tarasco
 4. Shes a Hard Ten
 5. Mister Jesstified
 6. And Its Showtime
 7. Roses for Sixes
 8. Majorly First
 9. Mr See You
- Unplaced "Isaiahcoltfortyfive"

During said time of applicable suspension, Lee Gutierrez 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 of Lee Gutierrez 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

15.2.3.8(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: 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
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-SRP-105
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: ACOSTA, JR CARLOS H.

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

Ruling # 2018-SRP-105

Action Type: Initial Ruling

Ruling:

Trainer: Carlos Acosta Jr., having been duly notified and appeared telephonically to waive his right to a hearing before the Board of Stewards on June 10, 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 "**Bella Faccia**" (Test Sample #: **NM 30599**), who finished 3rd in the 2nd race on April 28, 2018 at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to **Carlos Acosta Jr.**, and declined..

Christian A. Dominguez-Olivas, owner of record for horse "**Bella Faccia**".

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".

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.

For Carlos Acosta Jr. 's FIRST 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 **June 16, 2018, through July 15, 2018, inclusive.**

2. **(\$750.00) Seven Hundred and Fifty dollar fine to paid on or before July 10, 2018**, in accordance with **15.2.3.8 (B)(3)(l)** . Failure to pay fine in prescribed time may result in an immediate suspension.

3. **Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7), 15.2.6.9(C)(5)(c), 15.2.6.9(C)(4)**, the horse "**Bella Faccia**" is placed on the Stewards list for a period of 60 days (beginning **May 16, 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.

During said time of applicable suspension, **Carlos Acosta Jr.** 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 of **Carlos Acosta Jr.** 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."

15.2.1.9(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-106
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: ORTEGA, MONICA L.

License Type: 2016 3 Year Trainer Applicant Id: 35246
License Number: 281526

Ruling # 2018-SRP-106

Action Type: Initial Ruling

Ruling:

Trainer **Monica Ortega** having been duly notified appeared telephonically and waived a hearing before the Board of Stewards on **June 10, 2018**, for failure to declare equipment (**Blinkers On**) at time of entry for "**Creative Doux**", entered in the 7th race on June 9, 2018 at SunRay Park Racetrack.

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.

For this rule violation, the Board of Stewards assessed **Monica Ortega** a penalty in the amount of one hundred dollars (\$ 100.00). The fine is to paid on or before **July 10, 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 Authority

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-107
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: CHAVEZ, ANTHONY C
License Type: 2017 1 Year Owner Applicant Id: 29966
License Number: 287652

Ruling # 2018-SRP-107

Action Type: Initial Ruling

Ruling:

Owner: Anthony C. Chavez, having been duly notified and appeared to waive his right to a hearing before the Board of Stewards on June 9, 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 "Woodacoodadid" (Test Sample #: NM 32275), who was scratched from the 8th race on May 11, 2018 at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded and declined.

Lee Guterrez, was the trainer of record for horse "Woodacoodadid".

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".

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.

For Anthony C. Chavez's First 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), 15.2.6.9(C)(5)(c), 15.2.6.9(C)(4), the horse "Isaiahcoltfortyfive" is placed on the Stewards list for a period of 60 days (beginning May 16, 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. Whereas Woodacoodadid was scratched from the 8th race on May 11, 2018 at Sunray Park Racetrack there is NO CHANGE to the original order of finish.

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.

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-107
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: CHAVEZ, ANTHONY C

License Type: 2017 1 Year Owner Applicant Id: 29966
License Number: 287652

Ruling # 2018-SRP-107

Action Type: Initial Ruling

Ruling:

Owner: Anthony C. Chavez, having been duly notified and appeared to waive his right to a hearing before the Board of Stewards on June 9, 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 "Woodacoodadid" (Test Sample #: NM 32275), who was scratched from the 8th race on May 11, 2018 at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded and declined.

Lee Guterrez, was the trainer of record for horse "Woodacoodadid".

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".

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.

For Anthony C. Chavez's First 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), 15.2.6.9(C)(5)(c), 15.2.6.9(C)(4), the horse "Woodacoodadid" is placed on the Stewards list for a period of 60 days (beginning **May 16, 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. **Whereas Woodacoodadid was scratched from the 8th race on May 11, 2018 at Sunray Park Racetrack there is NO CHANGE to the original order of finish.**

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.

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-108
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: ACOSTA, JR CARLOS H.

License Type: Applicant Id: 19413
License Number:

Ruling # 2018-SRP-108

Action Type: Initial Ruling

Ruling:

2018-SRP-108 Issued in error

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-109
Track SunRay Park
Ruling Date: 6/10/2018

Licensee: DOMINGUEZ-OLIVAS, CHRISTIAN A
License Type: 2016 3 Year Owner Applicant Id: 35499
License Number: 280998

Ruling # 2018-SRP-109

Action Type: Initial Ruling

Ruling:

Owner: Christian A. Dominguez-Olivas having been duly notified and appeared telephonically to waive his right to a hearing before the Board of Stewards on June 10, 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 "**Bella Faccia**"(Test Sample #: **NM 30599**), who finished 3rd in the 2nd race on April 28, 2018 at SunRay Park Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded and declined. **Carlos H. Acosta Jr.**, trainer of record for horse "**Bella Faccia**".

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".

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.

For Christian A. Dominguez-Olivas FIRST 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 "**Bella Faccia**" is placed on the Stewards list for a minimum period of 60 days (beginning **May 16th, 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 "**Bella Faccia**" is hereby disqualified from 3rd Place and ordered unplaced from the 2nd race on April 28, 2018 at Sunland Park for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Tres Horizonte
2. The Natural Nine
3. Big Brutus
4. Sinsational Tacha
5. Frost Dalena
6. Big Daddy Rf
7. Kool Kue Fire
8. Shes Pourin
9. Ebz Queen

Unplaced "**Bella Faccia**"

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: 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