



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2019-SRP-15
Track: SunRay Park
Ruling Date: 5/25/2019

Licensee: CHAVEZ, ALEJANDRO
License Type: 2018 3 Year Trainer Applicant Id: 31113
License Number: 292135

Ruling # 2019-SRP-15

Action Type: Initial Ruling

Ruling:

Trainer: Alejandro Chavez was duly notified and waived his right to a disciplinary hearing before the Board of Stewards on May 25, 2019, regarding a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC). The certificate of analysis was for a confirmed positive for the therapeutic drug, Phenylbutazone (class 4 penalty category C MINOR drug) found in test sample E317740 taken from the Second place finisher "Gee Whiz Who" following the 6th race, on May 4, 2019.

The certificate of analysis indicated a finding of Phenylbutazone at 3.36 ± 0.35 micrograms per milliliter in the blood, which exceeds the allowable limit of 2.0 micrograms per milliliter in the blood.

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

Pedro Gutierrez Marquez, is the owner of record for the horse "Gee Whiz Who".

For Alejandro Chavez Second Class 4C MINOR medication violation in a 365-day period, the Board of Stewards hereby issues a (\$500.00) Five Hundred dollar fine to be paid on or before June 24, 2019, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine in the prescribed time shall result in an immediate suspension.

This ruling is in violation of and written in accordance with: 15.2.6.9(C)(1-2-3) Prima Facie Evidence/15.2.6.9 (C)(3) PENALTY RECOMMENDATIONS 15.2.6.9 A (4)UNIFORM CLASSIFICATION GUIDELINES :Trainer Responsibility/16.47.1.10(B)(1) NMAC: Absolute Insurer /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)(e)(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 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 #: 2019-SRP-16
Track: SunRay Park
Ruling Date: 5/25/2019

Licensee: GUTIERREZ-MARQUEZ, PEDRO
License Type: 2017 3 Year Owner Applicant Id: 160537
License Number: 288228

Ruling # 2019-SRP-16

Action Type: Initial Ruling

Ruling:

Owner Pedro Gutierrez-Marquez was duly notified and waived his right to a disciplinary hearing before the Board of Stewards on May 25, 2019, regarding a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC). The certificate of analysis was for a confirmed positive for the therapeutic drug, Phenylbutazone (class 4 penalty category C MINOR drug) found in test sample E317740 taken from the Second place finisher "Gee Whiz Who" following the 6th race, on May 4, 2019 at Sunray Park Racetrack.

The certificate of analysis indicated a finding of Phenylbutazone at 3.36 ± 0.35 micrograms per milliliter in the blood, which exceeds the allowable limit of 2.0 micrograms per milliliter in the blood.

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

For Pedro Gutierrez-Marquez Second Class 4C MINOR medication violation in a 365-day period, the Board of Stewards hereby issues a penalty as follows.

1. The horse "Gee Whiz Who" must pass a commission approved examination before being eligible to run.

This ruling is in violation of and written in accordance with: 15.2.6.9(C)(1-2-3) Prima Facie Evidence/15.2.6.9 (C)(3) PENALTY RECOMMENDATIONS 15.2.6.9 A (4)UNIFORM CLASSIFICATION GUIDELINES 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 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.



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Ruling #: 2019-SRP-17
Track: SunRay Park
Ruling Date: 5/26/2019

Licensee: BERLANGA, RICHARD STEPHEN
License Type: 2018 1 Year Jockey Ag Applicant Id: 23382
License Number: 290843

Ruling # 2019-SRP-17

Action Type: Initial Ruling

Ruling:

Jockey Agent Richard Berlanga is hereby summarily suspended, effective immediately May 25, 2019, pending the outcome of his hearing on June 1, 2019, @ 9:30 a.m. in the offices of the Board of Stewards at Sunray Park Racetrack (39 Road 5568 Farmington, NM 87401) per 15.2.1.9 (B)(3)(b) Summary Suspension, regarding the exclusion from Sunray Park management for failing the required drug test on May 25, 2019. During said time of applicable suspension Richard Berlanga 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.



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: 2019-SRP-18
Track: SunRay Park
Ruling Date: 5/26/2019

Licensee: KELLEY, MICHAEL LELAND
License Type: 2018 1 Year Jockey Ag Applicant Id: 22983
License Number: 290640

Ruling # 2019-SRP-18

Action Type: Initial Ruling

Ruling:

Jockey Agent; Michael Kelley is hereby summarily suspended, effective immediately May 25, 2019, pending the outcome of his hearing on June 1, 2019, @ 10:15 a.m. in the offices of the Board of Stewards at Sunray Park Racetrack (39 Road 5568 Farmington, NM 87401) per 15.2.1.9 (B)(3)(b) Summary Suspension, regarding the exclusion from Sunray Park management for refusing to take the required drug test on May 25, 2019. During said time of applicable suspension Mike Kelley 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2019-SRP-19
Track: SunRay Park
Ruling Date: 5/28/2019

Licensee: GARCIA-HERRERA, ENRIQUE D
License Type: 2018 3 Year Jockey Applicant Id: 2011
License Number: 290948

Ruling # 2019-SRP-19

Action Type: Initial Ruling

Ruling:

Jockey, **Enrique Garcia**, having been summoned **appeared** before Board of Stewards **on May 26, 2019**, for careless riding during the running of the **9th race on May 25th, 2019** while **aboard #8 "Forger" which resulted in his mount being disqualified from first place to second place.** (Drifted out around the turn and in the stretch impeding the number 1 "Gunners One".)

For this rule violation, the Board of Stewards assessed **Enrique Garcia** a suspension of **7 calendar days (June 3, 2019 thru June 9, 2019).** **Enrique Garcia** is allowed to ride designated races.

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)(a) NMAC: Which states in pertinent part that "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."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "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)(3)(d) 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)(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 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 #: 2019-SRP-20
Track SunRay Park
Ruling Date: 5/28/2019

Licensee: ESCOBAR, RENEE BARBARA

License Type: 2018 1 Year Jockey Ag Applicant Id: 27207
License Number: 290239

Ruling # 2019-SRP-20

Action Type: Initial Ruling

Ruling:

The Jockey's Agent license (290239) issued to Renee Escobar is hereby rescinded without prejudice as she is no longer working in that capacity and has been issued a bookkeepers license.

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License A license is valid only under the condition that the licensee remains eligible to hold such 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) Last Known Address/ 15.2.1.9(B)(9)(a)Failure to Appeal/

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 #: 2019-SRP-21
Track: SunRay Park
Ruling Date: 5/31/2019

Licensee: VALDEZ-CABRAL, JR MARTIN MANUEL
License Type: 2018 1 Year Assistant Applicant Id: 32891
License Number: 290241

Ruling # 2019-SRP-21
Action Type: Initial Ruling
Ruling:

The Assistant Trainer's license issued to Martin Valdez-Cabral Jr. is hereby rescinded without prejudice as he is no longer working in that capacity and has been issued a Trainers license.

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License A license is valid only under the condition that the licensee remains eligible to hold such 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) Last Known Address/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 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

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.