



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-71
Track Zia Park
Ruling Date: 10/24/2016

Licensee: CALDERON, RUBEN RAUL
License Type: 2015 3 Year Jockey Applicant Id: 33278
Date of Birth: 07/20/1985 License Number: 277198

Ruling # 2016-ZIA-71

Action Type: Initial Ruling

Ruling:

Jockey Ruben Raul Calderon, having been summoned and appeared before the Board of Stewards on October 24, 2016, for failing to make sufficient effort to control his mount during the running of the 4th Race on October 23, 2016, at Zia Park, while aboard #8 "Kracken" which resulted in the disqualification of his mount from 3rd place to 4th place. (Allowed his mount to drop in going into the turn, causing interference with the 7 and 5.)

For this violation, the Board of Stewards assessed, Ruben Raul Calderon, a fine in the amount of two hundred dollars, (\$200.00).

The fine is to be paid on or before November 24, 2016 in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is in accordance with:

15.2.5.13(E)(2)(a) NMAC: 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)(c) NMAC: 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)(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."

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-72
Track Zia Park
Ruling Date: 10/24/2016

Licensee: VALENZUELA, JOHNNY RAUL
License Type: 2016 3 Year Jockey Applicant Id: 16628
Date of Birth: 01/12/1961 License Number: 280990

Ruling # 2016-ZIA-72
Action Type: Initial Ruling
Ruling:

Jockey **Johnny Raul Valenzuela**, having been summoned and appeared before the Board of Stewards on **October 24, 2016**, for failure to make sufficient effort to control his mount "**Secret Courage**" in the **8th Race on October 23, 2016, at Zia Park**, is found to be in violation of Commission rules. (Allowed horse to bear out from starting gate.)

For this violation, the Board of Stewards assessed, **Johnny Raul Valenzuela**, a fine in the amount of **two hundred dollars, (\$200.00)**.

The fine is to be paid on or before **November 24, 2016** in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is in accordance with:

15.2.5.13(E)(2)(a) NMAC: 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)(c) NMAC: 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: Which states in pertinent part that "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."

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-73
Track Zia Park
Ruling Date: 10/24/2016

Licensee: SANCHEZ, MARIO G.

License Type: 2015 3 Year Trainer Applicant Id: 31581
Date of Birth: 11/03/1976 License Number: 279968

Ruling # 2016-ZIA-73

Action Type: Initial Ruling

Ruling:

Trainer Mario G. Sanchez having been duly notified and appeared before the Board of Stewards on **October 24, 2016**, for using foul and abusive language when speaking to the Stewards via the telephone on October 1, 2016 at Zia Park.

For this rule violation, the Board of Stewards assessed **Mario G. Sanchez** a penalty in the amount of **five hundred dollars (\$500.00)**. The fine is to be paid on or before **November 24, 2016** 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.

Mario G. Sanchez is found to be in violation of:

16.47.1.8 (L)(h) NMAC – 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”;

16.47.1.8 (T) NMAC KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules

15.2.3.8(B)(1)(d) NMAC: Which state in pertinent part that “The Stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the Stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension or revocation/denial of license or any combination of these penalties.”

15.2.1.9(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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-74
Track Zia Park
Ruling Date: 10/25/2016

Licensee: GONZALEZ, ELVIN

License Type: Jockey

Applicant Id: 86768

Date of Birth: 07/29/1986

License Number: 163919

Ruling # 2016-ZIA-74

Action Type: Initial Ruling

Ruling:

Jockey Elvin Gonzalez, having been summoned and appeared before the Board of Stewards on **October 22, 2016**, for using poor judgment mid stretch by steering out and brushing #6 out of his lane while aboard "Star Of The Day" in the **4th Race on October 18, 2016, at Zia Park**, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, Elvin Gonzalez, a fine in the amount of **two hundred dollars, (\$200.00)**.

The fine is to be paid on or before **November 25, 2016** in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

This ruling is in accordance with:

15.2.5.13(E)(2)(a) NMAC: 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)(c) NMAC: 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)(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."

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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."

Violet Smith

gma

Kenzie Swartz



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-75
Track Zia Park
Ruling Date: 10/25/2016

Licensee: MARTINEZ, EDGAR

License Type: 2016 3 Year Jockey Applicant Id: 159102
Date of Birth: 07/05/1992 License Number: 283094

Ruling # 2016-ZIA-75

Action Type: Initial Ruling

Ruling:

Jockey, Edgar Martinez, having been duly notified, failing to appear, and had hearing held in absentia before the Board of Stewards on October 16, 2016, at Zia Park, for failing to disclose criminal/arrest history on his licensing application.

For this violation, the Board of Stewards issue Edgar Martinez a penalty of the following:
A suspension of any/all New Mexico Racing Commission licenses, effective immediately October 25, 2016, pending appearance before the Zia Park Board of stewards.

During said time of suspension Edgar Martinez is denied access to all grounds under the jurisdiction of the New Mexico Racing Commission in accordance with 15.2.1.9(C)(21)(a) NMAC.

Edgar Martinez is found to be in violation of:

5.2.1.9 B. (4) d) Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the stewards. The stewards may suspend the license of a person who fails to appear at a disciplinary hearing after written notice of the hearing has been sent, in compliance with this subsection.

16.47.1.8 (L)(1) 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: **(a)** has been convicted of a felony; **(d)** has failed to disclose or falsely states any information required in the application

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-76
Track Zia Park
Ruling Date: 10/25/2016

Licensee: FENNELL, ERNEST

License Type: 2015 3 Year Trainer Applicant Id: 34414
Date of Birth: 01/18/1954 License Number: 277642

Ruling # 2016-ZIA-76

Action Type: Initial Ruling

Ruling:

Trainer Ernest Fennell is hereby restored to Good Standing having paid fines assessed in ruling 2016-SUN-201 on 9/16/16 at Zia Park Racetrack.

15.2.3.8 B (3)(f) Stewards Disciplinary Action The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) Stewards General authority. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

By Order of The Zia 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 #: 2016-ZIA-77
Track Zia Park
Ruling Date: 10/29/2016

Licensee: MARTINEZ, EDGAR

License Type: 2016 3 Year Jockey Applicant Id: 159102

Date of Birth: 07/05/1992 License Number: 283094

Ruling # 2016-ZIA-77

Action Type: Initial Ruling

Ruling:

Jockey Edgar Martinez is hereby restored to Good Standing having responded telephonically before the Zia Park Board of Stewards on **October 29, 2016.**

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

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 Zia 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.

Debbie Smith

[Signature]

Kimberly Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-78
Track Zia Park
Ruling Date: 10/29/2016

Licensee: MARTINEZ, EDGAR

License Type: 2016 3 Year Jockey Applicant Id: 159102
Date of Birth: 07/05/1992 License Number: 283094

Ruling # 2016-ZIA-78

Action Type: Initial Ruling

Ruling:

Jockey Edgar Martinez, having responded telephonically before the Board of Stewards on October 29, 2016, at Zia Park, for failing to disclose criminal/arrest history on his licensing application.

For this violation, the Board of Stewards assessed Edgar Martinez fine in the amount of five hundred dollars (\$500.00). The fine is to be paid on or before November 29, 2016 in accordance with 15.2.3.8 (B)(3)(8) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

Edgar Martinez is found to be in violation of.

15.2.3.8 B(3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission. (g) The stewards may order that a person be ineligible for licensing; or they may deny a license to an applicant on grounds set forth in the act or these rules. 16.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

16.47.1.8 (L)(I) 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: (d) has failed to disclose or falsely states any information required in the application

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

By Order of The Zia Park Stewards

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-79
Track: Zia Park
Ruling Date: 10/30/2016

Licensee: BARTON, DALLAS JAY

License Type: 2016 3 Year Trainer Applicant Id: 18739
Date of Birth: 02/12/1970 License Number: 280496

Ruling # 2016-ZIA-79

Action Type: Initial Ruling

Ruling:

Trainer Dallas Barton having been duly notified and having appeared before the Board Of Stewards on October 17, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive of Phenylbutazone and Flunixin (a stacking violation for class 4 Penalty C therapeutic drugs) found in test sample NM24917 taken from the winner "Southern Mojo" following the 8th race, on August 29, 2016 at Ruidoso Downs in Ruidoso, NM.

The original lab report indicated a finding of Phenylbutazone at .62 micrograms per milliliter in the blood and Flunixin at 6.7 nanograms per milliliter in the blood. The Flunixin was confirmed at 5.1±.2 nanograms per milliliter in the blood with a split sample sent to Texas A & M on October 13, 2016. Split samples rights concerning the Phenylbutazone positive, as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Dallas Barton.

Owner Champion Racing Stables (Rickey Cundiff et al) was duly notified and failed to appear for the hearing. They are the owners of record for horse "Southern Mojo" which was the subject of the Phenylbutazone and Flunixin positive.

For this second Class 4C medication violation (fines only) in a 365-day period issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed Dallas Barton a penalty as follows:

1.A (\$750) seven hundred and fifty dollar fine to paid on or before November 30, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Which states that "All fines imposed by the Stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered." Failure to pay fine in prescribed time may result in an immediate suspension.

Dallas Barton is found to be in violation of: 15.2.6.9(D)(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"

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: 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." 16.47.1.8. T. KNOWLEDGE OF RULES: 15.2.6.9 A. UNIFORM CLASSIFICATION

GUIDELINES: The following outline describes the types of substances placed in each category. This list shall be publicly posted in the offices of the official veterinarian and the racing secretary. (4) Class 4 - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so. 15.2.6.9(P)(6) (6) A NSAID stacking violation with a penalty class C (fines only) occurs when any combination of two of the following non-steroidal anti-inflammatory drugs are found at or below the restrictions in Subparagraphs (a) through (e) of Paragraph 3 above but in excess of the noted restrictions: (a) Flunixin - 3 nanograms per milliliter of plasma or serum; (b) Ketoprofen - 1 nanogram per milliliter of plasma or serum; (c) Phenylbutazone - 0.3 micrograms per milliliter of plasma or serum. 15.2.6.9 C. PENALTY RECOMMENDATIONS: (3) Category C penalties will be assessed for violations due to the presence of a drug carrying a category C penalty and overages for NSAID's and furosemide (all concentrations are for measurements in serum or plasma).

Recommended penalties for category C violations, overages for permitted NSAID's and furosemide are as follows: Trainer 2nd offense (365-day period) in any jurisdiction in the following levels, the penalty is a minimum of a written warning to a maximum fine of \$750: 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."

Xialet Smith

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Stewards



N Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-80
Track Zia Park
Ruling Date: 10/30/2016

Licensee: COX, SHAE LARA

License Type: 2016 3 Year Trainer Applicant Id: 6315
Date of Birth: 07/26/1987 License Number: 282198

Ruling # 2016-ZIA-80

Action Type: Initial Ruling

Ruling:

Trainer Shae Cox having been duly notified and having responded by telephone, waiving her rights to a formal hearing before the Board of Stewards, on October 23, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMRC). The report confirmed an overage for the therapeutic (class 4 penalty C) drug Methylprednisolone found in sample # NM24109 taken from the winner "Perry Sweetheart" following the 4th race on October 2, 2016 at Zia Park. The concentration of Methylprednisolone was (256 pg/ml) which exceeds the authorized medication limit of 100 pg/ml.

Spilt sample rights as provided in 15.2.6.10 (D) NMAC were afforded to and waived by Shae Cox.

For this FIRST Class 4 Category C medication violation in the past 365 day period, the Board of Steward assess Shae Cox a penalty of

1. A fine in the amount of one thousand dollars (\$ 1,000.00). This fine is to paid on or before November 30, 2016, in accordance with 15.2.3.8(B)(3) NMAC. Failure to pay this fine within the time prescribed may result in an immediate suspension.

Shae Cox is found to be in violation of:

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES: (4) Class 4 - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so.

15.2.6.9 C. PENALTY RECOMMENDATIONS:(3)Recommended penalties for category C violations, overages for permitted NSAID's and furosemide are as follows: LICENSED TRAINER: 1st offense (365-day period) in any jurisdiction in the following levels, the penalty is a minimum fine of \$1,000:Reference ARCI Controlled Therapeutic Medication Schedule – Version 2.2, Revised April, 2015. The level for Methylprednisolone is 100 picograms per milliliter of plasma or serum.

15.2.6.9. D. MEDICATION RESTRICTIONS:(1) 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. Prohibited substances include: drugs or medications for which no acceptable levels have been established; therapeutic medications in excess of established acceptable levels; substances present in the horse in excess of levels at which such substances could occur naturally; substances foreign to a horse at levels that cause interference with testing procedures.(2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioner's international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit

15.2.6.9. MEDICATIONS AND PROHIBITED SUBSTANCES

16.47.1.10. B. ABSOLUTE INSURER.

16.47.1.8. T. KNOWLEDGE OF RULES

15.2.3.8 B (3) (f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-81
Track Zia Park
Ruling Date: 10/31/2016

Licensee: SOTO, SALVADOR RENTERIA

License Type: 2016 3 Year Trainer Applicant Id: 7872
Date of Birth: 03/14/1974 License Number: 282502

Ruling # 2016-ZIA-81

Action Type: Initial Ruling

Ruling:

Trainer **Salvador Soto** having been duly notified and having responded telephonically before the Board of Stewards **on October 25, 2016, 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 **"Runaway Jeans"**, who **finished first place in the 3rd race on September 18th, 2016, at Zia Park Racetrack Hobbs, NM, Test Sample #: NM24648** and confirmed with a split sample sent to **Texas A&M on October 14, 2016.**

Julio Cesar Islas, the owner of record for the horse **"Runaway Jeans"**, was duly notified and failed to appear for the hearing.

For this **FIRST Class 3B medication violation** in a 365- day period issued in accordance with 15.2.6.9 (L) NMAC, the Board of Stewards assessed **Salvador Soto** a penalty as follows.

1. A 60 day suspension of all NMRC licenses starting October 4, 2017, through December 3, 2017, inclusive (run consecutively from ruling 2016-Comm-3 dated September 26, 2016).
2. (\$1,000) one thousand dollar fine to paid on or before **November 31, 2016**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.
3. Pursuant to rules 15.2.6.9(D)(5)(c), 15.2.6.9 (D)(6), and 15.2.6.9(D)(7), the horse **"Runaway Jeans"** is placed on the Stewards list for a period of 60 days (beginning **October 5, 2016**). 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 prior to entry.
4. The horse **"Runaway Jeans"** is hereby disqualified from first place and ordered unplaced from the 3rd race on September 18, 2016, at Zia Park Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Meddlin Perry
2. Jess for Ron
3. Eyesa Miracle
4. My Red Rock
5. Burning Regard
6. Southern Ccc
7. Devonas Secret Rf

Unplaced "Runaway Jeans"

During said time of applicable suspension, **Salvador Soto** 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) NMAC, and 15.2.3.8 (B)(3)(f) NMAC. Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of **Salvador Soto** are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21) (c) NMAC.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-81
Track Zia Park
Ruling Date: 10/31/2016

Licensee: SOTO, SALVADOR RENTERIA
License Type: 2016 3 Year Trainer Applicant Id: 7872
Date of Birth: 03/14/1974 License Number: 282502

Salvador Soto is found to be in violation of:

15.2.6.9(D)(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(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules"

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: 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."

15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **First Lifetime offense (365-day period) in any jurisdiction:** A minimum 15-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 60-day suspension. A minimum fine of \$500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a \$1,000 fine.
- **Second Lifetime offense (365-day period) in any jurisdiction:** A minimum 30-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 180-day suspension. A minimum \$1,000 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum fine of \$2,500.
- **Third Lifetime offense** A 60-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum of a one year suspension. A minimum fine of \$2,500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum \$5,000 fine or five percent of purse (greater of the two) and may be referred to the commission for any further action deemed necessary by the commission.

15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a **owner** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **First Lifetime offense (365-day period) in any jurisdiction:** Disqualification, loss of purse (in the absence of mitigating circumstances)* and horse must pass a commission-approved examination before becoming eligible to be entered.
- **Second Lifetime offense (365-day period) in any jurisdiction:** Disqualification, loss of purse (in the absence of mitigating circumstances)* and horse must pass a commission-approved examination before becoming eligible to be entered.
- **Third Lifetime offense** Disqualification, loss of purse, and in the absence of mitigating circumstances a \$5,000 fine* and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.

15.2.6.9(D)(5)(c), 15.2.6.9 (D)(6), and 15.2.6.9(D)(7),

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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

15.2.3.8(B)(3)(k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

15.2.5.13(E)(4)(d) NMAC: Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

--PAGE 2 of 2--

David Smith *Jim Carter* *Reuben Smith*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-82
Track Zia Park
Ruling Date: 10/31/2016

Licensee: SPENCER, CLARK ORIEN

License Type: Trainer Applicant Id: 21447
Date of Birth: 11/15/1940 License Number: 81806

Ruling # 2016-ZIA-82

Action Type: Initial Ruling

Ruling:

Trainer **Clark Spencer** having waived his rights to a 10 day notice of hearing before the **Board Of Stewards on October 25, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC)**, for a confirmed positive for the therapeutic drug, Dexamethasone (class 4 penalty category C drug) found in test sample **NM24104** taken from the **winner "Flying Pretty"** following **the second race, on October 2, 2016 at Zia Park Racetrack in Hobbs, NM.**

The original lab report indicated a finding of, **Dexamethasone at 1,140 pg/ml in the blood.** The allowable limit for Dexamethasone is 5 pg/ml in the blood (15.2.6). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Clark Spencer.**

For this **first Class 4C medication violation** in a 365- day period issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed **Clark Spencer** a penalty as follows:

1. A **(\$1,000) one thousand dollar fine to paid on or before November 31, 2016**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Which states that "All fines imposed by the Stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered." Failure to pay fine in prescribed time may result in an immediate suspension.
2. The horse **"Flying Pretty"** must pass a commission approved veterinary examination before being eligible to enter.

Clark Spencer is found to be in violation of:

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES (4) Class 4 - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so. **15.2.6.9 C. PENALTY RECOMMENDATIONS:**(3) Category C penalties will be assessed for violations due to the presence of a drug carrying a category C penalty and overages for NSAID's and furosemide (all concentrations are for measurements in serum or plasma). Recommended penalties for category C violations, overages for permitted NSAID's and furosemide are as follows: for Dexamethasone is 5 pg/ml in the blood **First offense (Trainer)** in a Class C category (365-day period) in any jurisdiction in the following levels, the penalty is a minimum fine of \$1,000. **15.2.6.9. D. MEDICATIONS AND PROHIBITED SUBSTANCES:** **15.2.6.9. D. MEDICATION RESTRICTIONS:**(1) 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. Prohibited substances include: drugs or medications for which no acceptable levels have been established; therapeutic medications in excess of established acceptable levels; substances present in the horse in excess of levels at which such substances could occur naturally; substances foreign to a horse at levels that cause interference with testing procedures.(2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioner's international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit.(3) Except as otherwise provided by this part, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this part during the 24-hour period before post time for the race in which the horse is entered. **16.47.1.10. B. ABSOLUTE INSURER. (1)** 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 horses. 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 a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties.(2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules. **15.2.3.8B (3)(f) ; 15.2.3.8B (1) (d) ; 6.47.1.8. T. 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."

New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-83
Track Zia Park
Ruling Date: 10/31/2016

Licensee: ASHFORD, JR H. RAY

License Type: Applicant Id: 35066
Date of Birth: 02/08/1971 License Number:

H. Ray Ashford is found to be in violation of: **15.2.6.9(H) ANDROGENIC-ANABOLIC STEROIDS(1)** No AAS shall be permitted in test sample collected from racing horses except for residues of the major metabolite of **nandrolone**, and the naturally occurring substances **boldenone** and testosterone at concentrations less than the indicated thresholds. **(3)** Any other anabolic steroids are prohibited in racing horses.

15.2.3.8(B)(3)(k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

15.2.5.13(E)(4)(d) 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.

15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **TRAINER: First Lifetime offense (365-day period) in any jurisdiction:** A minimum 15-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 60-day suspension. A minimum fine of \$500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a \$1,000 fine.

- **OWNER: First Lifetime offense (365-day period) in any jurisdiction:** Disqualification, loss of purse (in the absence of mitigating circumstances)* and horse must pass a commission-approved examination before becoming eligible to be entered.

15.2.1 (P) (15) "Prohibited substance"

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC Absolute Insurer

15.2.6.9(D)(5)(c), 15.2.6.9 (D)(6), and 15.2.6.9(D)(7), 15.2.6.9(D)(1-2-3) NMAC

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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."

PAGE 2 OF 2

By Order of The Zia 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 #: 2016-ZIA-84
Track Zia Park
Ruling Date: 10/31/2016

Licensee: QUINTANA-GUTIERREZ, JUAN
License Type: 2015 3 Year Trainer Applicant Id: 30422
Date of Birth: 05/16/1969 License Number: 279088

Ruling # 2016-ZIA-84

Action Type: Initial Ruling

Ruling:

Trainer **Juan Quintana Gutierrez**, having been duly notified, having failed to appear, and had his hearing held in absentia before the Board Of Stewards on **October 25, 2016**, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Phenylbutazone (class 4 penalty category C drug) found in test sample **NM 21076** taken from the **winner "Barn Party"** following **the 8th race, on September 18, 2016 at The New Mexico State Fair in Albuquerque, NM.** The original lab report indicated a finding of Phenylbutazone at **3.45 micrograms per milliliter in the blood** and confirmed by **Texas A&M** in the split sample at a level of **3.6±0.22 micrograms per milliliter in the blood on October 11, 2016.** The allowable threshold for Phenylbutazone is 2.0 micrograms per milliliter in the blood.

Owner Michael Wood is the owner of record for horse "Barn Party" which was the subject of the Phenylbutazone positive. **He was duly notified and failed to appear for this hearing.** For this **first Class 4C medication violation** in a 365- day period issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed **Juan Quintana Gutierrez** a penalty as follows:

1.A (\$300) three hundred dollar fine to be paid on or before November 31, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Which states that "All fines imposed by the Stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered." Failure to pay fine in prescribed time may result in an immediate suspension.

Juan Quintana Gutierrez is found to be in violation of:

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES: The following outline describes the types of substances placed in each category. This list shall be publicly posted in the offices of the official veterinarian and the racing secretary. (4) **Class 4 -** This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so. expectorants with little or no other pharmacologic action; (ii) stomachics; (iii) mucolytic agents.

15.2.6.9 C. PENALTY RECOMMENDATIONS: (3) Category C penalties will be assessed for violations due to the presence of a drug carrying a category C penalty and overages for NSAID's and furosemide (all concentrations are for measurements in serum or plasma). Recommended penalties for category C violations, overages for permitted NSAID's and furosemide are as follows: **Trainer 1st offense (365-day period) in any jurisdiction in the following levels, the penalty is a minimum of a written warning to maximum fine of \$500:**

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC Absolute Insurer

15.2.6.9(D)(5)(c), 15.2.6.9 (D)(6), and 15.2.6.9(D)(7), 15.2.6.9(D)(1-2-3) NMAC:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-85
Track Zia Park
Ruling Date: 10/31/2016

Licensee: RAMIREZ, SR JOSE FRANCISCO
License Type: 2016 3 Year Trainer Applicant Id: 11970
Date of Birth: 09/01/1950 License Number: 280810

Ruling # 2016-ZIA-85

Action Type: Initial Ruling

Ruling:

Trainer **Jose F. Ramirez, Sr.** having been duly notified and having responded telephonically before the **Board Of Stewards on October 30, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC)**, for a confirmed positive for the therapeutic drug, Dexamethasone (class 4 penalty category C drug) found in test sample **NM22858** taken from the **3rd place finisher "Gata Moolah Jr"** following **the first race, on August 12, 2016 at Ruidoso Downs in Ruidoso, NM.**

The original lab report indicated a finding of **Dexamethasone at 118 pg/ml in the blood**, which was confirmed by **Industrial Laborites in the split sample at a level of 151±3.2 pg/ml in the blood on September 9, 2016**. The allowable limit for Dexamethasone is 5 pg/ml in the blood (15.2.6).

Jose F. Ramirez, Jr. is the owner of record for horse **"Gata Moolah Jr"**. He was duly notified and failed to appear for the hearing.

For this **first Class 4C medication violation** in a 365- day period issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed **Jose F. Ramirez, Sr.** a penalty as follows:

1. **A (\$1,000) one thousand dollar fine to paid on or before November 31, 2016**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Which states that "All fines imposed by the Stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered." Failure to pay fine in prescribed time may result in an immediate suspension.
2. **The horse "Gata Moolah Jr"** must pass a commission approved veterinary examination before being eligible to enter.

Jose F. Ramirez, Sr. is found to be in violation of: 15.2.6.9 A. **UNIFORM CLASSIFICATION GUIDELINES (4) Class 4** - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so. 15.2.6.9 C. **PENALTY RECOMMENDATIONS:**(3) Category C penalties will be assessed for violations due to the presence of a drug carrying a category C penalty and overages for NSAID's and furosemide (all concentrations are for measurements in serum or plasma). Recommended penalties for category C violations, overages for permitted NSAID's and furosemide are as follows: for Dexamethasone is 5 pg/ml in the blood **First offense (Trainer)** in a Class C category (365-day period) in any jurisdiction in the following levels, the penalty is a minimum fine of \$1,000. 15.2.6.9. **MEDICATIONS AND PROHIBITED SUBSTANCES: 15.2.6.9. D. MEDICATION RESTRICTIONS:**(1) 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. Prohibited substances include: drugs or medications for which no acceptable levels have been established; therapeutic medications in excess of established acceptable levels; substances present in the horse in excess of levels at which such substances could occur naturally; substances foreign to a horse at levels that cause interference with testing procedures. (2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioner's international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit. (3) Except as otherwise provided by this part, a person may not administer or cause to be administered by any means to a horse a prohibited drug, medication, chemical or other substance, including any restricted medication pursuant to this part during the 24-hour period before post time for the race in which the horse is entered. 16.47.1.10. **B. ABSOLUTE INSURER. (1)** 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 horses. 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 a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties. (2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules. 15.2.3.8B (3)(f) ; 15.2.3.8B (1) (d) ; 6.47.1.8. T. 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, cashier's check, money order or personal check."

Jose F. Ramirez, Sr.

Jose F. Ramirez, Sr.

Jose F. Ramirez, Sr.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-86
Track Zia Park
Ruling Date: 11/1/2016

Licensee: MEDINA, ANTHONY CHAYANNE
License Type: 2015 3 Year Jockey Applicant Id: 30292
Date of Birth: 10/01/1989 License Number: 278514

Ruling # 2016-ZIA-86

Action Type: Initial Ruling

Ruling:

Jockey Anthony Medina is hereby restored to Good Standing having paid fines owed in **2016-RUI-109 on November 1, 2016.**

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

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 Zia 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.

Daniel Smith

Jim [Signature] *Frank [Signature]*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-87
Track Zia Park
Ruling Date: 11/1/2016

Licensee: SIGALA, ALFREDO S.

License Type: 2015 3 Year Jockey Applicant Id: 158216

Date of Birth: 01/12/1985 License Number: 279889

Ruling # 2016-ZIA-87

Action Type: Initial Ruling

Ruling:

Jockey, Alfredo Sigala, having been summoned and appeared before the Board of Stewards on October 31, 2016 for careless riding during the running of the 1st race on October 29, 2016, at Zia Park, while aboard "Doin My Time" which resulted in the disqualification of his mount from 5th to 6th place. (Bore in under right hand whip, impeding the #3 and #6. The #3 outran #1, and the #1 was placed behind the #6.)

For this violation, the Board of Stewards assessed, Alfredo Sigala, a suspension of 3 race days (November 8, 12 and 13, 2016).

This ruling, for Alfredo Sigala, in accordance with:

15.2.5.13(E)(2)(a) NMAC: 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)(c) NMAC: 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: Which states in pertinent part that "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."

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards

Daniel Smith

Julie Colley

Robert Fournier



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-88
Track Zia Park
Ruling Date: 11/1/2016

Licensee: RAMOS,JR WALTER JESUS

License Type: Applicant Id: 34831

Date of Birth: 12/18/1967 License Number:

Ruling # 2016-ZIA-88

Action Type: Initial Ruling

Ruling:

Issued in Error

By Order of The Zia Park Stewards

Delet Smith

Cynthia Steele

Kenya Kue



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-89
Track Zia Park
Ruling Date: 11/5/2016

Licensee: CABRERA, YANETH

License Type: Applicant Id: 33209
Date of Birth: 03/11/1984 License Number:

Ruling # 2016-ZIA-89

Action Type: Initial Ruling

Ruling:

Owner Yaneth Cabrera, having been duly notified, having failed to appear, and had her hearing held in absentia before the Board of Stewards on October 17, 2016, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for confirmed positives during out of competition testing taken at Ruidoso Downs on July 19, 2016, for the Class 3B drug "clenbuterol" detected in horses "Jess Cruzin On By" (sample #NC32618), "Super Star Smith" (sample #NC32619), and "A Blazin Flash" (sample #NC32620). Split sampling rights, as provided in 15.2.6.10 (D) NMAC were afforded to, and waived by Ronald Stephens.

Ronald Stephens was the the trainer of record for horses "Jess Cruzin On By", "Super Star Smith", and "A Blazin Flash", which were the subject of the clenbuterol positives for out of competition testing, refer to rulings 2016-ZIA-59, 2016-ZIA-60, and 2016-ZIA-61.

For the third out of competition testing Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed Yaneth Cabrera a penalty as follows.

1. A (\$5,000) five thousand dollar fine to paid on or before December 5, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

2. Pursuant to rules 15.2.6.9(D)(5)(c), 15.2.6.9 (D)(6), and 15.2.6.9(D)(7), the horses "Jess Cruzin On By", "Super Star Smith", and "A Blazin Flash" were placed on the Stewards list for a period of 60 days (July 28, 2016 through October 8, 2016 inclusive), during this period the papers were removed from the racing office and the horses were denied entry until they had passed a commission approved veterinary examination (which was negative) on October 8, 2016, before being eligible to enter.

15.2.6.9. D. MEDICATION RESTRICTIONS: (2) Drugs or medications in horses are permissible, provided: the drug or medication is listed by the association of racing commissioners international's drug testing standards and practices program; the maximum permissible urine or blood concentration of the drug or medication does not exceed the published limit. (4) There is no permissible concentration of clenbuterol that is allowed to appear in any official sample. (5) Any horse that is the subject of a positive test report from the official laboratory for a drug in one of the following categories shall be placed immediately on the steward's list: (c) clenbuterol or other beta-agonist drugs with significant anabolic effects that are not currently penalty class A drugs; 15.2.6.9. K. OUT OF COMPETITION TESTING:(1) A horse may be subject to out of competition testing without advance notice if the horse is: (a) on the grounds of a racetrack or training center under the jurisdiction of the commission; (b) under the care or control of a trainer or owner licensed by the commission; or (c) any horse whose papers are filed in the racing office; or (d) has been nominated to a stakes race. (2) This rule applies to prohibited substances, practices and procedures as follows: (d) clenbuterol present in a sample in a horse not previously placed on the veterinarian's list pursuant to Paragraph (9) of Subsection D of 15.2.6.9 NMAC; and (3) The penalty for a positive test resulting from an out of competition sample will be determined by the penalty class of the drug listed in the association of racing commissioners international "uniform classification guidelines for foreign substances and recommended penalties and model rule" and incorporated by reference under 15.2.6.9 NMAC. Positive tests for substances identified under Paragraph (5) of Subsection D of 15.2.6.9 NMAC will be placed on the steward's list as per the conditions set forth in that subsection. (4) Horses to be tested may be selected at random, with probable cause or as determined by the commission or an agent of the commission. (6) Split samples shall be collected in accordance with Subsection B of 15.2.6.10 NMAC and shall be secured and made available for further testing in accordance with Subsection D of 15.2.6.10 NMAC. 15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a owner for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows: Third Lifetime offense- Disqualification, loss of purse, and in the absence of mitigating circumstances a \$5,000 fine* and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered. 15.2.3.8 B (3)(f) Stewards Disciplinary Action 16.47. 15.2.3.8 B (1) (d) Stewards General Authority 16.47.1.8. T. KNOWLEDGE OF RULES: 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."

Yaneth Cabrera

Ronald Stephens

Ken Burkholder



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-90
Track Zia Park
Ruling Date: 11/6/2016

Licensee: GAYTAN, CAROLINA

License Type: 2016 3 Year Trainer Applicant Id: 8495
Date of Birth: 08/19/1977 License Number: 281077

Ruling # 2016-ZIA-90

Action Type: Initial Ruling

Ruling:

Trainer Carolina Gayton, having appeared before the Board of Stewards and having waived her rights to a 10 day notice and a formal hearing on November 5, 2016 for failure to declare change of equipment (**Flipping Halter ON**) at time of entry for **Jess Alota Fly**, entered in **the 11th race, October 29, 2016**.

For this rule violation, the Board of Stewards assessed a penalty in the amount off **one hundred dollars (\$100.00)**. The fine is to paid on or before **December 6, 2016** in accordance with 15.2.3.8(B)(3)(I) NMAC.

Failure to pay the fine within the time prescribed may result in immediate suspension.
Licensee is found to be in violation of:

NMAC: 15.2.5.8 (B10) Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-91
Track Zia Park
Ruling Date: 11/6/2016

Licensee: GAMA, GABRIEL

License Type: 2014 3 Year Trainer Applicant Id: 11071

Date of Birth: 03/24/1957 License Number: 112116

Ruling # 2016-ZIA-91

Action Type: Initial Ruling

Ruling:

Trainer, Gabriel Gama, having appeared before the Board of Stewards and having waived his rights to a 10 day notice and a formal hearing on November 12, 2016, for failure to have sufficient works for entry "**Cash Stick**" which resulted in a scratch in the **6th race October 16, 2016 at Zia Park.**

The Board of Stewards assessed **Gabriel Gama** a penalty in the amount of **two hundred dollars (\$200.00).** The fine is to be paid on or before **December 6, 2016**, 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.

Gabriel Gama is found to be in violation of:

15.2.5.11 WORKOUTS: A. REQUIREMENTS:(1) A non-starter must have had within sixty (60) days of entry one (1) approved official schooling race or at least two (2) workouts recorded at a pari mutuel or commission recognized facility and posted with the racing secretary prior to time of race, one (1) of the two (2) workouts shall be from the starting gate, and be gate approved. It shall be the trainer's responsibility to establish validity as to workouts and gate approvals. **(2)** Any horse which has started, but not within six (6) months, must have one (1) official workout from the starting gate or must have proof of standing the horse at least one (1) time within a sixty (60) day period. Any horse which has started, but not within sixty (60) days, must have at least one (1) workout within sixty (60) days prior to time of race. Horses that have not started within six (6) months of entry must have at least two (2) approved workouts within the sixty (60) days. **(3)** Horses that have never raced around the turn will be required to have within thirty (30) days prior to time of race, at least one (1) workout at 660 yards or farther. Horses that have previously started in a race around the turn, but not within sixty (60) days, will be required to have at least one (1) workout at 660 yards or farther prior to time of race.

15.2.5.12 (L) NMAC: Which states in pertinent part "A horse shall be ineligible to start in a race when it lacks official published workouts".

16.47.1.10 (C)(18) NMAC: Which states in pertinent part "The Trainer is responsible for horses entered as to eligibility, weight, or other allowances claimed".

15.2.3.8 B (3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and/or at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

15.2.3.8 B (1) (d) The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

6.47.1.8. T. KNOWLEDGE OF RULES: A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-92
Track Zia Park
Ruling Date: 11/7/2016

Licensee: RODRIGUEZ-FLORES, VICTOR H
License Type: 2016 3 Year Trainer Applicant Id: 32096
Date of Birth: 10/29/1982 License Number: 282906

Ruling # 2016-ZIA-92

Action Type: Initial Ruling

Ruling:

Trainer **Victor Rodriguez-Flores** having been duly notified and having appeared before the Board of Stewards **on November 7, 2016, 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 **"Woody Can Do"**, who **finished second place in the 11th race on September 10th, 2016, at Zia Park Racetrack in Hobbs, NM, Test Sample #: NM24535** and confirmed with a split sample sent to **Texas A&M on October 10, 2016.**

Alberto Villanueva, the owner of record for the horse **"Woody Can Do"**, was duly notified **and responded by telephone with translator Mireya Villanueva** for this hearing.

For this **FIRST Class 3B medication violation** in a 365- day period issued in accordance with 15.2.6.9 (L) NMAC, the Board of Stewards assessed **Victor Rodriguez-Flores** a penalty as follows.

1. A 60 day suspension of all NMRC licenses starting on November 18, 2016, through January 17, 2017, inclusive).
2. (\$1,000) one thousand dollar fine to paid on or before **December 7, 2016**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.
3. Pursuant to rules 15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(C)(7),the horse **"Woody Can Do"** is placed on the Stewards list for a period of 60 days (beginning **September 22, 2016**). 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 prior to entry.
4. The horse **"Woody Can Do"** is placed in the on the veterinarian's list for 45 days starting November 7, 2016, through December 22, 2016, and must pass a commission-approved examination before becoming eligible to be entered.
- 5.The horse **"Woody Can Do"** is hereby disqualified from second place and ordered unplaced from **the 11th race on September 10th, 2016, at Zia Park Racetrack in Hobbs, NM**, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. First Vegas Moon
2. Swiss White Wine
3. Don't Doubt Moon
4. Swiss Bug
5. Penny Snipin
6. Pistolleta
7. Lil Boom Boom
8. Take Some Effort

Unplaced **"Woody Can Do"**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-92
Track Zia Park
Ruling Date: 11/7/2016

Licensee: RODRIGUEZ-FLORES, VICTOR H
License Type: 2016 3 Year Trainer Applicant Id: 32096
Date of Birth: 10/29/1982 License Number: 282906

During said time of applicable suspension, Victor Rodriguez-Flores 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) NMAC, and 15.2.3.8 (B)(3)(f) NMAC. Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Victor Rodriguez-Flores are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

Victor Rodriguez-Flores is found to be 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(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules"

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: 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."

15.2.6.9. B. Penalty recommendations (2) Category B penalties will be assessed against a trainer for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **First Lifetime offense (365-day period) in any jurisdiction:** A minimum 15-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 60-day suspension. A minimum fine of \$500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a \$1,000 fine.

15.2.6.9. B. Penalty recommendations (2) Category B penalties will be assessed against a owner for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **Third Lifetime offense** Disqualification, loss of purse, and in the absence of mitigating circumstances a \$5,000 fine* and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.

15.2.3.8(B)(3)(k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

15.2.5.13(E)(4)(d) NMAC: Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(D)(7),

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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."

--PAGE 2 of 2--

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-93
Track Zia Park
Ruling Date: 11/7/2016

Licensee: RODRIGUEZ-FLORES, VICTOR H

License Type: 2016 3 Year Trainer Applicant Id: 32096
Date of Birth: 10/29/1982 License Number: 282906

Ruling # 2016-ZIA-93

Action Type: Initial Ruling

Ruling:

Trainer **Victor Rodriguez- Flores** having been duly notified and having appeared before the Board of Stewards on November 7, 2016, 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 "**Dyna O Mite**", who finished first place in the 4th race on September 11th, 2016, at Zia Park Racetrack in Hobbs, NM, Test Sample #: NM24544 and confirmed with a split sample sent to Texas A&M on October 10, 2016.

Alberto Villanueva, the owner of record for the horse "**Dyna O Mite**", was duly notified and responded by telephone with translator Mireya Villanueva for this hearing.

For this SECOND Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (L) NMAC, the Board of Stewards assessed Victor Rodriguez- Flores a penalty as follows.

1. A 120 day suspension of all NMRC licenses starting on January 18, 2017, through May 18, 2017, inclusive. To be run consecutively from ruling 2016-ZIA-92
2. (\$1,500) one thousand five hundred dollar fine to paid on or before December 7, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.
3. Pursuant to rules Pursuant to rules 15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(C)(7),the horse "**Dyna O Mite**" is placed on the Stewards list for a period of 60 days (beginning September 21, 2016). 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 prior to entry.
4. The horse "**Dyna O Mite**" is placed in the on the veterinarian's list for 45 days starting November 7, 2016, through December 22, 2016, and must pass a commission-approved examination before becoming eligible to be entered.
5. The horse "**Dyna O Mite**" is hereby disqualified from first place and ordered unplaced from the 4th race on September 11th, 2016, at Zia Park Racetrack in Hobbs, NM, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Es Meyer
2. Siete Menudos
3. Rushin Corona
4. Bankie Bay
5. Flash Theory
6. Stormin Jesse
7. Serena James
8. Mr Mo Runaway
9. Mels Fire

Unplaced "**Dyna O Mite**"



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-93
Track Zia Park
Ruling Date: 11/7/2016

Licensee: RODRIGUEZ-FLORES, VICTOR H
License Type: 2016 3 Year Trainer Applicant Id: 32096
Date of Birth: 10/29/1982 License Number: 282906

During said time of applicable suspension, Victor Rodriguez- Flores 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) NMAC, and 15.2.3.8 (B)(3)(f) NMAC. Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Victor Rodriguez- Flores are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

Victor Rodriguez- Flores is found to be 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(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules"

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: 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."

15.2.6.9. B. Penalty recommendations (2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **Second Lifetime offense (365-day period) in any jurisdiction:** A minimum 30-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 180-day suspension. A minimum \$1,000 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum fine of \$2,500.

15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a **owner** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **Third Lifetime offense** Disqualification, loss of purse, and in the absence of mitigating circumstances a \$5,000 fine* and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.

- **(4)** Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. Penalties will run consecutively for a trainer or owner.

15.2.3.8(B)(3)(k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

15.2.5.13(E)(4)(d) NMAC: Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(D)(7),

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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."

--PAGE 2 of 2--

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-94
Track Zia Park
Ruling Date: 11/7/2016

Licensee: RODRIGUEZ-FLORES, VICTOR H
License Type: 2016 3 Year Trainer Applicant Id: 32096
Date of Birth: 10/29/1982 License Number: 282906

Ruling # 2016-ZIA-94

Action Type: Initial Ruling

Ruling:

Trainer **Victor Rodriguez-Flores** having been duly notified and having appeared before the Board of Stewards **on November 7, 2016, 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 **"Delightning Teller"**, who **finished fourth place in the 6th race on September 25th, 2016, at Zia Park Racetrack in Hobbs, NM, Test Sample #: NM24011**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Victor Rodriguez-Flores**.

Alberto Villanueva, the owner of record for the horse **"Delightning Teller"**, was duly notified **and responded by telephone with translator Mireya Villanueva** for this hearing.

For this **THIRD Class 3B medication violation** in a 365- day period issued in accordance with 15.2.6.9 (L) NMAC, the Board of Stewards assessed **Victor Rodriguez-Flores** a penalty as follows.

1. A 365 day suspension of all NMRC licenses starting on May 19, 2017 through May 19, 2018, inclusive. To be run consecutively from ruling 2016-ZIA-93.

2. (\$5,000) five thousand dollar fine to paid on or before **December 7, 2016**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

3. Pursuant to rules 15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(C)(7), the horse **"Delightning Teller"** is placed on the Stewards list for a period of 60 days (beginning **October 13, 2016**). 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 prior to entry.

4. The horse **"Delightning Teller"** is placed in the on the veterinarian's list for 45 days starting November 7, 2016, through December 22, 2016, and must pass a commission-approved examination before becoming eligible to be entered.

5. The horse **"Delightning Teller"** is hereby disqualified from fourth place and ordered unplaced from **the 6th race on September 25th, 2016, at Zia Park Racetrack in Hobbs, NM**, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Thru the Night
2. Phobesdynasty
3. Pyc Laveaux
4. Belvedere
5. Getyourshineonbaby
6. Jess Having Fun
7. Black Orchid Crush
8. Significant Fire

Unplaced **"Delightning Teller"**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-94
Track Zia Park
Ruling Date: 11/7/2016

Licensee: RODRIGUEZ-FLORES, VICTOR H
License Type: 2016 3 Year Trainer Applicant Id: 32096
Date of Birth: 10/29/1982 License Number: 282906

During said time of applicable suspension, Victor Rodriguez-Flores 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) NMAC, and 15.2.3.8 (B)(3)(f) NMAC. Additionally, effective upon applicable suspension dates, all horses owned or trained, or under the care of Victor Rodriguez-Flores are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c) NMAC.

Victor Rodriguez-Flores is found to be 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(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules"

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC: 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."

15.2.6.9. B. Penalty recommendations (2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **Third Lifetime offense** A 60-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum of a one year suspension. A minimum fine of \$2,500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum \$5,000 fine or five percent of purse (greater of the two) and may be referred to the commission for any further action deemed necessary by the commission.

15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a **owner** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **Third Lifetime offense** Disqualification, loss of purse, and in the absence of mitigating circumstances a \$5,000 fine* and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.

- (4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. Penalties will run consecutively for a trainer or owner.

15.2.3.8(B)(3)(k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

15.2.5.13(E)(4)(d) NMAC: Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(D)(7),

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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."

--PAGE 2 of 2--



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-95
Track Zia Park
Ruling Date: 11/7/2016

Licensee: FELIX, MARTIN

License Type: 2014 3 Year Jockey

Applicant Id: 86561

Date of Birth: 09/28/1995

License Number: 184656

Ruling # 2016-ZIA-95

Action Type: Initial Ruling

Ruling:

Jockey, **Martin Felix**, having been summoned and represented by Oscar Hernandez, appeared before the Board of Stewards **on November 7, 2016** for careless riding during the running of the **4th race on November 6, 2016, at Zia Park**, while **aboard #7 "Mongoose Game" which resulted in the disqualification of his mount from 9th place to 10th place**. (Broke out sharply with no effort to correct impeding outside horses.)

For this violation, the Board of Stewards assessed **Martin Felix** a suspension of five (5) race days (**November 15, 2016, November 19, 20, 21 and 22, 2016**).

Martin Felix is allowed to ride designated races.

This ruling is in accordance with:

15.2.5.13(E)(2)(a) NMAC: 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)(c) NMAC: 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: Which states in pertinent part that "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."

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.8(E)(1)(A)

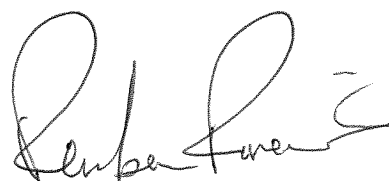
16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required 16.47.1.8 (A)(2) License Required

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 Zia Park Stewards







New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-96
Track Zia Park
Ruling Date: 11/7/2016

Licensee: PARGA-LEOS, JAIME

License Type: Applicant Id: 30593
Date of Birth: 01/01/1981 License Number:

Ruling # 2016-ZIA-96

Action Type: Initial Ruling

Ruling:

Jockey, Jaime Parga Leos, having failed to appear or send a jockey guild's representative when summoned by the Board of Stewards for race/film review regarding the **7th race on November 6, 2016, at Zia Park**, is found in violation of Commission rules.

For this rule violation, the Board of Stewards assessed **Jaime Parga Leos** a penalty of **fifty dollars (\$50.00)**. The fine is to be paid on or before **December 07, 2016**, in accordance with 15.2.3.8(B)(3)(I) NMAC.

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

Licensee is found to be in violation of:

15.2.1.9(B)(4)(d)NMAC: Which states in pertinent part that "Nonappearance of a summoned party after adequate notice shall be construed as a waiver of the right to a hearing before the board of stewards.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.8(E)(1)(A)

16.47.1.3 Slatutory Authority

16.47.1.8 (A)(1) License Required 16.47.1.8 (A)(2) License Required

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 Zia 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.

Deputy Smith *Anthony Leos* *Robert Leos*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-97
Track Zia Park
Ruling Date: 11/7/2016

Licensee: PARGA-LEOS, JAIME

License Type: Jockey Applicant Id: 30593

Date of Birth: 01/01/1981 License Number: 80735

Ruling # 2016-ZIA-97

Action Type: Initial Ruling

Ruling:

Jockey, **Jaime Parga Leos**, having been summoned and failed to appear before the Board of Stewards **on November 7, 2016** for careless riding during the running of the **7th race on November 6, 2016, at Zia Park**, while **aboard #9 "Fortaleza" which resulted in the disqualification of his mount from 3rd place to 6th place**. (Bore out under left handed whip causing interference with the #10 and a better placement.)

For this violation, the Board of Stewards assessed **Jaime Parga Leos** a suspension of (three) 3 race days (November 15, 2016, November 19, 2016, and November 20, 2016).

Jaime Parga Leos is allowed to ride designated races.

This ruling is in accordance with:

15.2.5.13(E)(2)(a) NMAC: 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)(c) NMAC: 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: Which states in pertinent part that "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."

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.8(E)(1)(1)(A)

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required 16.47.1.8 (A)(2) License Required

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-98
Track Zia Park
Ruling Date: 11/8/2016

Licensee: VILLANUEVA, ALBERTO

License Type: 2016 3 Year Owner Applicant Id: 35376
Date of Birth: 07/22/1980 License Number: 283096

Ruling # 2016-ZIA-98

Action Type: Initial Ruling

Ruling:

Owner Alberto Villanueva having been duly notified and responded by telephone with translator Mireya Villanueva before the Board of Stewards on November 7, 2016, 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 "Woody Can Do", who finished second place in the 11th race on September 10th, 2016, at Zia Park Racetrack in Hobbs, NM, Test Sample #: NM24535 and confirmed with a split sample sent to Texas A&M on October 10, 2016.

Victor Rodriguez-Flores, was the trainer of record for the horse "Woody Can Do", was duly notified and appeared before the Board of Stewards for this hearing (REFER TO RULING 2016-ZIA-92).

For this **THIRD Class 3B medication violation** in a 365- day period issued in accordance with 15.2.6.9 (L) NMAC, the Board of Stewards assessed Alberto Villanueva a penalty as follows. (REFER TO RULINGS 2016-RUI-28)

1. (\$5,000) five thousand dollar fine to paid on or before December 8, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.
2. Pursuant to rules 15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(C)(7), the horse "Woody Can Do" is placed on the Stewards list for a period of 60 days (beginning September 22, 2016). 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 prior to entry.
3. The horse "Woody Can Do" is placed in the on the veterinarian's list for 45 days starting November 7, 2016, through December 22, 2016, and must pass a commission-approved examination before becoming eligible to be entered.
4. 5. The horse "Woody Can Do" is hereby disqualified from second place and ordered unplaced from the 11th race on September 10th, 2016, at Zia Park Racetrack in Hobbs, NM, for all but pari-mutuel wagering. The purse redistribution is as follows.
 1. First Vegas Moon
 2. Swiss White Wine
 3. Don't Doubt Moon
 4. Swiss Bug
 5. Penny Snipin
 6. Pistolleta
 7. Lil Boom Boom
 8. Take Some Effort

Unplaced "Woody Can Do"



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-98
Track Zia Park
Ruling Date: 11/8/2016

Licensee: VILLANUEVA, ALBERTO
License Type: 2016 3 Year Owner Applicant Id: 35376
Date of Birth: 07/22/1980 License Number: 283096

Alberto Villanueva is found to be 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(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules"

15.2.6.9. B. Penalty recommendations (2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **First Lifetime offense (365-day period) in any jurisdiction:** A minimum 15-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 60-day suspension. A minimum fine of \$500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a \$1,000 fine.

15.2.6.9. B. Penalty recommendations (2) Category B penalties will be assessed against a **owner** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **Third Lifetime offense** Disqualification, loss of purse, and in the absence of mitigating circumstances a \$5,000 fine* and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.

15.2.3.8(B)(3)(k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

15.2.5.13(E)(4)(d) NMAC: Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(D)(7),

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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."

--PAGE 2 of 2--

By Order of The Zia 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 #: 2016-ZIA-99
Track Zia Park
Ruling Date: 11/8/2016

Licensee: VILLANUEVA, ALBERTO

License Type: 2016 3 Year Owner Applicant Id: 35376
Date of Birth: 07/22/1980 License Number: 283096

Ruling # 2016-ZIA-99

Action Type: Initial Ruling

Ruling:

Owner Alberto Villanueva having been duly notified and responded by telephone with translator Mireya Villanueva before the Board of Stewards on November 7, 2016, 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 "Dyna O Mite", who finished first place in the 4th race on September 11th, 2016, at Zia Park Racetrack in Hobbs, NM, Test Sample #: NM24544 and confirmed with a split sample sent to Texas A&M on October 10, 2016.

Victor Rodriguez-Flores, was the trainer of record for the horse "Dyna O Mite", was duly notified and appeared before the Board of Stewards for this hearing (REFER TO RULING 2016-ZIA-93).

For this FOURTH Class 3B medication violation in a 365- day period issued in accordance with 15.2.6.9 (L)NMAC, the Board of Stewards assessed Alberto Villanueva a penalty as follows. (REFER TO RULINGS 2016-RUI-28 and 2016-ZIA-93, and 2016-ZIA-98)

1. **(\$5,000) five thousand dollar fine to paid on or before December 7, 2016**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.

2. **Pursuant to rules Pursuant to rules 15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(C)(7),the horse "Dyna O Mite"** is placed on the Stewards list for a period of 60 days (beginning **September 21, 2016**).

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 prior to entry.

3. **The horse "Dyna O Mite"** is placed in the on the veterinarian's list for 45 days starting November 7, 2016, through December 22, 2016, and must pass a commission-approved examination before becoming eligible to be entered.

4. **5.The horse "Dyna O Mite" is hereby disqualified from first place and ordered unplaced from the 4th race on September 11th, 2016, at Zia Park Racetrack in Hobbs, NM, for all but pari-mutuel wagering. The purse redistribution is as follows.**

1. Es Meyer
2. Siete Menudos
3. Rushin Corona
4. Bankie Bay
5. Flash Theory
6. Stormin Jesse
7. Serena James
8. Mr Mo Runaway
9. Mels Fire

Unplaced "Dyna O Mite"



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-99
Track Zia Park
Ruling Date: 11/8/2016

Licensee: VILLANUEVA, ALBERTO

License Type: 2016 3 Year Owner Applicant Id: 35376
Date of Birth: 07/22/1980 License Number: 283096

Alberto Villanueva is found to be 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(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules"

15.2.6.9. B. Penalty recommendations (2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **Second Lifetime offense (365-day period) in any jurisdiction:** A minimum 30-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum 180-day suspension. A minimum \$1,000 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum fine of \$2,500.

15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a **owner** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **Third Lifetime offense** Disqualification, loss of purse, and in the absence of mitigating circumstances a \$5,000 fine* and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.

- (4) Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. Penalties will run consecutively for a trainer or owner.

15.2.3.8(B)(3)(k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

15.2.5.13(E)(4)(d) NMAC: Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(D)(7),

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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."

--PAGE 2 of 2--

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-100
Track Zia Park
Ruling Date: 11/8/2016

Licensee: VILLANUEVA, ALBERTO

License Type: 2016 3 Year Owner Applicant Id: 35376

Date of Birth: 07/22/1980 License Number: 283096

Ruling # 2016-ZIA-100

Action Type: Initial Ruling

Ruling:

Owner Alberto Villanueva having been duly notified **and responded by telephone with translator Mireya Villanueva** before the Board of Stewards **on November 7, 2016, 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 "Delightning Teller", who **finished fourth place in the 6th race on September 25th, 2016, at Zia Park Racetrack in Hobbs, NM, Test Sample #: NM24011**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Victor Rodriguez-Flores.

Victor Rodriguez-Flores, was the trainer of record for the horse "Delightning Teller", was duly notified **and appeared before the Board of Stewards** for this hearing (REFER TO RULING 2016-ZIA-94).

For this **FIFTH Class 3B medication violation** in a 365- day period issued in accordance with 15.2.6.9 (L) NMAC, the Board of Stewards assessed Alberto Villanueva a penalty as follows. (REFER TO RULINGS 2016-RUI-28 and 2016-ZIA-92, 2016-ZIA-93, 2016-ZIA-94, 2016-ZIA-98, and 2016-ZIA-99)

1. **(\$5,000) five thousand dollar fine to paid on or before December 8, 2016**, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Failure to pay fine in prescribed time may result in an immediate suspension.
2. Pursuant to rules 15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(C)(7), the horse "Delightning Teller" is placed on the Stewards list for a period of 60 days (beginning **October 13, 2016**). 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 prior to entry.
3. The horse "Delightning Teller" is placed in the on the veterinarian's list for 45 days starting November 7, 2016, through December 22, 2016, and must pass a commission-approved examination before becoming eligible to be entered.
4. The horse "Delightning Teller" is hereby disqualified from fourth place and ordered unplaced from **the 6th race on September 25th, 2016, at Zia Park Racetrack in Hobbs, NM**, for all but pari-mutuel wagering. The purse redistribution is as follows.
 1. Thru the Night
 2. Phoebedynasty
 3. Pyc Laveaux
 4. Belvedere
 5. Getyourshineonbaby
 6. Jess Having Fun
 7. Black Orchid Crush
 8. Significant Fire

Unplaced "Delightning Teller"



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-100
Track Zia Park
Ruling Date: 11/8/2016

Licensee: VILLANUEVA, ALBERTO
License Type: 2016 3 Year Owner Applicant Id: 35376
Date of Birth: 07/22/1980 License Number: 283096

Alberto Villanueva is found to be 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(P) NMAC: Which states that the suspension of authorized medications, as outlined in sections 1-2-3-4, which led to a published, posted and distributed memo effective July 22, 2015, which states in part "clenbuterol is a prohibited substance and will constitute a violation of NMSRC rules"

15.2.6.9. B. Penalty recommendations (2) Category B penalties will be assessed against a **trainer** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **Third Lifetime offense** A 60-day suspension absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum of a one year suspension. A minimum fine of \$2,500 absent mitigating circumstances or the presence of aggravating factors could be used to impose a maximum \$5,000 fine or five percent of purse (greater of the two) and may be referred to the commission for any further action deemed necessary by the commission.

15.2.6.9. C. Penalty recommendations (2) Category B penalties will be assessed against a **owner** for violations due to the presence of a drug carrying a category B penalty and for the presence of more than one NSAID in a plasma/serum sample. Recommended penalties for category B violations and for the presence of more than one NSAID in a plasma/serum sample for a licensed trainer are as follows:

- **Third Lifetime offense** Disqualification, loss of purse, and in the absence of mitigating circumstances a \$5,000 fine* and horse shall be placed on the veterinarian's list for 45 days and must pass a commission-approved examination before becoming eligible to be entered.

- **(4)** Any violation subsequent to a third violation will carry the same terms as imposed for a third violation. Penalties will run consecutively for a trainer or owner.

15.2.3.8(B)(3)(k) NMAC: Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

15.2.5.13(E)(4)(d) NMAC: Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

15.2.6.9(C)(5)(e), 15.2.6.9 (C)(6), and 15.2.6.9(D)(7),

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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."

--PAGE 2 of 2--

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-101
Track Zia Park
Ruling Date: 11/8/2016

Licensee: MARTINEZ, SALVADOR L

License Type: Applicant Id: 30295
Date of Birth: 04/09/1983 License Number:

Ruling # 2016-ZIA-101

Action Type: Initial Ruling

Ruling:

Issued in error

By Order of The Zia Park Stewards

Amberline *Robert Smith* *[Signature]*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-102
Track Zia Park
Ruling Date: 11/8/2016

Licensee: MARTINEZ, LEZLY SALVADOR
License Type: 2015 3 Year Jockey Applicant Id: 33253
Date of Birth: 04/09/1983 License Number: 279771

Ruling # 2016-ZIA-102

Action Type: Initial Ruling

Ruling:

Jockey, Lezly Salvador Martinez, having been summoned to appear before the Board of Stewards on November 8, 2016 for insufficient effort to maintain his lane away from the gate during the 3rd race on November 6, 2016, at Zia Park, while aboard #3 "Grind It Out".

For this violation, the Board of Stewards assessed Lezly Salvador Martinez a penalty of one hundred dollars (\$100.00). The fine is to be paid on or before December 8, 2016, in accordance with 15.2.3.8(B)(3)(1) NMAC.

This ruling is in accordance with:

15.2.5.13(E)(2)(a) NMAC: 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)(c) NMAC: 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: Which states in pertinent part that "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."

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.8(E)(1)(1)(A)

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required 16.47.1.8 (A)(2) License Required

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 Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2016-ZIA-103
Track Zia Park
Ruling Date: 11/8/2016

Licensee: VARGAS, JOSE LUIS
License Type: 2016 3 Year Trainer Applicant Id: 31960
Date of Birth: 10/16/1986 License Number: 282782

Ruling # 2016-ZIA-103

Action Type: Initial Ruling

Ruling:

Trainer Jose L. Vargas, having been duly notified and having appeared before the Board Of Stewards on **November 8, 2016**, regarding a lab report from UC/Davis (official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Phenylbutazone (class 4 penalty category C drug) found in test sample **NM 24358** taken from the **winner "Oh If I Catch You"** following **the 10th race, on October 17, 2016 at Zia Park Racetrack in Hobbs, NM.**

The original lab report indicated a finding of Phenylbutazone at **8.89 micrograms per milliliter in the blood**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Jose L. Vargas. **Owner Clara Moore is the owner of record for horse "Oh If I Catch You"** which was the subject of the Phenylbutazone positive. **She was duly notified and failed to appear for this hearing.**

For this **first Class 4C medication violation** in a 365- day period issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assessed Jose L. Vargas a penalty as follows:

1.A (\$400) four hundred dollar fine to be paid on or before December 8, 2016, in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(I) NMAC: Which states that "All fines imposed by the Stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered." Failure to pay fine in prescribed time may result in an immediate suspension.

Jose L. Vargas is found to be in violation of:

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES: The following outline describes the types of substances placed in each category. This list shall be publicly posted in the offices of the official veterinarian and the racing secretary. (4) **Class 4** - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so. expectorants with little or no other pharmacologic action; (ii) stomachics; (iii) mucolytic agents.

15.2.6.9 C. PENALTY RECOMMENDATIONS: (3) Category C penalties will be assessed for violations due to the presence of a drug carrying a category C penalty and overages for NSAID's and furosemide (all concentrations are for measurements in serum or plasma). Recommended penalties for category C violations, overages for permitted NSAID's and furosemide are as follows: **Trainer 1st offense (365-day period) in any jurisdiction in the following levels, the penalty is a minimum of a written warning to maximum fine of \$500:**

15.2.6.11(A) NMAC and 16.47.1.10(B)(1) NMAC Absolute Insurer

15.2.6.9(C)(5)(c), 15.2.6.9 (C)(6), and 15.2.6.9(C)(7), 15.2.6.9(C)(1-2-3) NMAC:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47. 15.2.3.8 B (1) (d) Stewards General authority

16.47.1.8. T. KNOWLEDGE OF RULES:

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 Zia Park Stewards