



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-ZIA-42**
Track **Zia Park**
Ruling Date: **10/13/2018**

Licensee: **SANCHEZ, JACKIE EMILY**
License Type: **2016 3 Year Trainer** Applicant Id: **31778**
License Number: **280903**

Ruling # 2018-ZIA-42

Action Type: Initial Ruling

Ruling:

Trainer, Jackie E. Sanchez, is hereby summarily suspended, effective immediately, October 13, 2018 pending the outcome of her hearing on October 16, 2018, @ 9:00a.m in the office of the Board of Stewards at Zia Park Racetrack (3901 W. Millen Drive, Hobbs Nm.), per 15.2.1.9 (B)(3)(b) Summary Suspension. The summary suspension was in regard to the confirmed positive of the Class 3 Controlled Substance, clenbuterol, found test sample #E290286 taken from the second place finisher (trained by Jackie E. Sanchez), "CLASSEE", in the 4th race on September 29, 2018, at Zia Park Racetrack.

In accordance with 15.2.1.9 (C)(21), Jackie E. Sanchez is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care of Jackie E. Sanchez are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Jackie E. Sanchez must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.

Licensee is found in violation of and this ruling is written in accordance with:

15.2.1.9(B)(3)(a) Proceedings Before The Stewards: Summary Suspension If the Stewards determine that a licensee's action constitute an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing.

15.2.1.7(C)(8)"Controlled substance" is any substance included in the five classification schedules of the (U.S.) Controlled Substance Act of 1970.

15.2.6.9(C)(4) There is no permissible concentration of clenbuterol that is allowed to appear in any official sample.

16.47.1.8 (U)(1) PROTECTION OF HORSES Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

16.47.1.8(U)(2) Protection of horses No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care.

16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule.

15.2.1.9(B)(3)(b) Proceedings Before The Stewards: Summary Suspension A licensee whose license has been summarily suspended is entitled to a hearing on the summary suspension not later than the 10th day after the license was summarily suspended. The licensee may waive their right to a hearing on the summary suspension within the 10-day limit

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-ZIA-43**
Track: Zia Park
Ruling Date: 10/13/2018

Licensee: **SANCHEZ, MAYRA ALEJANDRA**
License Type: **2017 1 Year Owner** Applicant Id: **33993**
License Number: **288027**

Ruling # 2018-ZIA-43

Action Type: Initial Ruling

Ruling:

Owners **Mayra A. Sanchez and Yoni Parede-Flores** were duly notified, failed to appear, and had their hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board of Stewards on October 13, 2018. The hearing was in regard to a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) for a confirmed positive for the prohibited, Class 2 Penalty A (reference Uniform classification guideline page 16) drug "Modafinil Acid" found in Test Sample #: E282887 taken from the first place finisher, "LIVINGSTON ICON", in the 5th race on August 18, 2018, at Ruidoso Downs Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Erika Huitron.

Erika Huitron, the trainer of record for horse "LIVINGSTON ICON", was duly notified and responded telephonically for this hearing. In accordance with 15.2.6.9 (B)(1) Penalty Recommendations, this is Erika Huitron's FIRST Class 2 Penalty A medication violation in a lifetime.

For Mayra A. Sanchez and Yoni Parede-Flores's FIRST Class 2 Penalty A medication violation in a lifetime issued in accordance with 15.2.6.9 (B)(1) Penalty Recommendations, the Board of Stewards assessed a penalty as follows:

1. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(a), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d), the horse "LIVINGSTON ICON" is placed on the Stewards list for a period of 60 days (beginning August 29, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
2. The horse "LIVINGSTON ICON" is placed on the Veterinarian's list for a period of 180 days (beginning October 13, 2018, through April 10, 2019, inclusive) and must pass a commission approved examination before becoming eligible to be entered.
3. The horse "LIVINGSTON ICON" is hereby disqualified from FIRST PLACE and ordered unplaced from the 5th race on August 18, 2018, at Ruidoso Downs Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.
 1. Jess Kidding
 2. Sumokeonthewater
 3. A Hot Leprechaun
 4. Mda Lookthiscountry
 5. Strydz
 6. Royal Mesa Moon
 7. Mightys First Perry
 8. Americas Dash
 9. Jon E. Cash

Unplaced "LIVINGSTON ICON"

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(8)(a)(9)Medication Restrictions/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses/ 16.47.1.10(B)(1-3)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations **15.2.1.9(B)(9)(b): Appeal Procedures** An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-ZIA-44
Track Zia Park
Ruling Date: 10/13/2018

Licensee: FLORES-PAREDES, YONI

License Type: 2018 3 Year Owner Applicant Id: 33317
License Number: 291349

Ruling # 2018-ZIA-44

Action Type: Initial Ruling

Ruling:

Owners **Mayra A. Sanchez and Yoni Parede-Flores** were duly notified, failed to appear, and had their hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board of Stewards on October 13, 2018. The hearing was in regard to a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) for a confirmed positive for the prohibited, Class 2 Penalty A (reference Uniform classification guideline page 16) drug "Modafinil Acid" found in Test Sample #: E282887 taken from the first place finisher, "LIVINGSTON ICON", in the 5th race on August 18, 2018, at Ruidoso Downs Racetrack. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Erika Huitron.

Erika Huitron, the trainer of record for horse "LIVINGSTON ICON", was duly notified and responded telephonically for this hearing. In accordance with 15.2.6.9 (B)(1) Penalty Recommendations, this is Erika Huitron's FIRST Class 2 Penalty A medication violation in a lifetime.

For Mayra A. Sanchez and Yoni Parede-Flores's FIRST Class 2 Penalty A medication violation in a lifetime issued in accordance with 15.2.6.9 (B)(1) Penalty Recommendations, the Board of Stewards assessed a penalty as follows:

1. Pursuant to rules 15.2.3 (B)(9)(a)(e), 15.2.6.9(C)(7)(a), 15.2.6.9(C)(8), 15.2.6.9(C)(9)(a-d), the horse "LIVINGSTON ICON" is placed on the Stewards list for a period of 60 days (beginning August 29, 2018). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.
2. The horse "LIVINGSTON ICON" is placed on the Veterinarian's list for a period of 180 days (beginning October 13, 2018, through April 10, 2019, inclusive) and must pass a commission approved examination before becoming eligible to be entered.
3. The horse "LIVINGSTON ICON" is hereby disqualified from FIRST PLACE and ordered unplaced from the 5th race on August 18, 2018, at Ruidoso Downs Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Jess Kidding
2. Sumokeonthewater
3. A Hot Leprechaun
4. Mda Lookthiscountry
5. Strydz
6. Royal Mesa Moon
7. Mightys First Perry
8. Americas Dash
9. Jon E. Cash

Unplaced "LIVINGSTON ICON"

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/ 15.2.6.9(C)(1)(8)(a)(9) Medication Restrictions/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses/ 16.47.1.10(B)(1-3) Absolute Insurer/ 15.2.6.9(B) Penalty Recommendations **15.2.1.9(B)(9)(b): Appeal Procedures** An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-ZIA-45
Track Zia Park
Ruling Date: 10/13/2018

Licensee: LOPEZ, JOAQUIN N.

License Type: Applicant Id: 35349
License Number:

Ruling # 2018-ZIA-45

Action Type: Initial Ruling

Ruling:

On **October 13, 2018**, the Board of Stewards received **ruling #18-RP-026**, issued on **April 28, 2018**, by The Oklahoma Horse Racing Commission suspending Trainer **Joaquin Lopez**. Pursuant to **15.2.1.9(B)(8)(c) Effect of Rulings and 16.47.1.8 (L)(1) (h) Reciprocity**, the Board of Stewards hereby suspends all licenses issued to trainer **Joaquin Lopez, pending the reinstatement of his Trainer's license to good standing in Oklahoma.**

During said time of applicable suspension **Joaquin Lopez** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**. Additionally, effective upon applicable suspension dates, all horses **owned, trained, or under the care and custody of Joaquin Lopez** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained, owned, or in the care and custody of Joaquin Lopez** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.**

Licensee is found to be in violation of and this ruling is written in accordance with:

16.47.1.8 (L)(1) (h) Reciprocity 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 has had a license denied, suspended, or revoked by any racing jurisdiction.

16.47.1.8 (L)(1) (e) Reciprocity 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 has been found in violation of rules governing racing in this state or other jurisdictions

15.2.1.9(C)(22)(b) Reciprocity Appeals of reciprocal rulings. Persons subject to rulings in other jurisdictions shall have the right to request a hearing before the commission to show cause why such ruling should not be enforced in this jurisdiction. Any request for such hearing must clearly set forth in writing the reasons for the appeal.

15.2.1.9(B)(8)(c) Effect of Rulings The stewards shall honor the rulings issued by other pari-mutuel racing commissions.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-ZIA-46**
Track: Zia Park
Ruling Date: 10/14/2018

Licensee: **CARRETE, JESUS J.**

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

Ruling # 2018-ZIA-46

Action Type: Initial Ruling

Ruling:

Trainer Jesus Carrete was duly notified and waived his rights to a 10-day notice and formal hearing before the Board of Stewards on October 14, 2018. The hearing was in regard to Jesus Carrete failing to notify the Clerk of Scales or the Stewards of a Rider Change for entry "QUIK TELLER" in the 7th race on October 6, 2018 at Zia Park Racetrack.

The Board of Stewards hereby fines **Jesus Carrete** in the amount **of two hundred dollars (\$200.00)**. The fine is to be paid on or before **November 14, 2018** in accordance with 15.2.3.8 (B)(3)(1) NMAC. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of and this ruling is written in accordance with:

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.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-ZIA-47**
Track: Zia Park
Ruling Date: 10/14/2018

Licensee: **BURDEN, GENE LEE**

License Type: 2018 3 Year Trainer Applicant Id: 17996
License Number: 289267

Ruling # 2018-ZIA-47

Action Type: Initial Ruling

Ruling:

Trainer **Gene L. Burden** was duly notified, failed to appear, and had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, before the Board Of Stewards on **October 14, 2018**. The hearing was in regard to a certificate of analysis from **Industrial Laboratories (the official testing laboratory for the NMRC)**, for a confirmed positive for the therapeutic drug, Betamethasone (class 4 penalty category C major drug) found in test sample **E282593**. The test sample was taken from the **second place finisher "Im Bigtime Southern"** following **the 1st race on July 15, 2018, at Ruidoso Downs Racetrack**.

The original lab report indicated a finding of **Betamethasone at a level of 41.0±2.7 pg/ml in the blood**, the allowable limit for **Betamethasone is 10 pg/ml in the blood (15.2.6.9 Attachment#2)**. On **September 10, 2018**, Betamethasone was confirmed in the blood of the split sample sent to **TVMDL**.

Debra Smith, the **owner** of record for horse **"Im Bigtime Southern"**, was duly notified and failed to appear for this hearing. In accordance with 15.2.1.9(B)(4)(d) this is **Debra Smith's FIRST Class 4C major medication violation in a 365- day period**.

For **Gene L. Burden's FIRST Class 4C major medication violation** in a 365- day period, issued in accordance with **15.2.6.9 (B)(4)**, the Board of Stewards assessed a penalty as follows:

1. A **(\$1,000) one thousand dollar fine to paid on or before November 14, 2018**, in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine in prescribed time shall result in an immediate suspension.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8(B)(1)(3)(f)(g)(j) Stewards, 15.2.6.9(C)(1)(4) medication restrictions, 15.2.6.11(A) Trainer Responsibility, 16.47.1.8(T) Knowledge of the Rules, 16.47.1.8(U)(1) Protection of Horses, 16.47.1.10(B)(1-3) Absolute Insurer, 15.2.6.9 (B)(4), 15.2.6.9 Attachment #2, 15.2.6.9 (F) Permissible Medications With Acceptable Levels 15.2.1.9(B)(9)(b): Appeal Procedures 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 #: **2018-ZIA-48**
Track: Zia Park
Ruling Date: 10/14/2018

Licensee: SMITH, DEBRA D.

License Type: 2015 3 Year Owner Applicant Id: 34665
License Number: 280168

Ruling # 2018-ZIA-48

Action Type: Initial Ruling

Ruling:

Owner **Debra Smith** was duly notified, failed to appear, and had her hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, before the Board Of Stewards on **October 14, 2018**. The hearing was in regard to a certificate of analysis from **Industrial Laboratories (the official testing laboratory for the NMRC)**, for a confirmed positive for the therapeutic drug, Betamethasone (class 4 penalty category C major drug) found in test sample **E282593**. The test sample was taken from the **second place finisher "Im Bigtime Southern"** following **the 1st race on July 15, 2018, at Ruidoso Downs Racetrack**.

The original lab report indicated a finding of **Betamethasone at a level of 41.0±2.7 pg/ml in the blood**, the allowable limit for **Betamethasone is 10 pg/ml in the blood (15.2.6.9 Attachment#2)**. On **September 10, 2018**, Betamethasone was confirmed in the blood of the split sample sent to **TVMDL**.

Gene L. Burden, the **trainer** of record for horse "**Im Bigtime Southern**", was duly notified and failed to appear for this hearing. In accordance with 15.2.1.9(B)(4)(d) this is **Gene L. Burden's FIRST Class 4C major medication violation in a 365- day period**.

For **Debra Smith's FIRST Class 4C major medication violation in a 365- day period**, issued in accordance with **15.2.6.9 (B)(4)**, the Board of Stewards assessed a penalty as follows:

1. The horse **Im Bigtime Southern** must pass a commission approved veterinary examination before being eligible to enter.
2. The horse "**Im Bigtime Southern**" is hereby disqualified from **SECOND PLACE** and ordered unplaced from the **1st race on July 15, 2018, at Ruidoso Downs Racetrack**, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Storm Wind Chaser
2. Before Coffee
3. First Ghost
4. Magic Time
5. More Heat
6. Heza a Star

Unplaced "**Im Bigtime Southern**"

Licensee is found to be in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards, 15.2.6.9(C)(1)(4) medication restrictions, 15.2.6.11(A) Trainer Responsibility, 16.47.1.8(T) Knowledge of the Rules, 16.47.1.8(U)(1) Protection of Horses, 16.47.1.10(B)(1-3) Absolute Insurer, 15.2.6.9 (B)(4), 15.2.6.9 Attachment #2, 15.2.6.9 (F) Permissible Medications With Acceptable Levels 15.2.1.9(B)(9)(b): Appeal Procedures 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 #: **2018-ZIA-49**
Track: Zia Park
Ruling Date: 10/14/2018

Licensee: PONCE, JOSUE

License Type: 2016 3 Year Trainer Applicant Id: 159033
License Number: 282870

Ruling # 2018-ZIA-49

Action Type: Initial Ruling

Ruling:

Trainer **Josue Ponce** was duly notified and, failed to appear, and had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)non-appearance**, before the Board of Stewards on **October 14, 2018**. The hearing was in regard to a confirmed positive for the therapeutic drug **Dexamethasone (class 4 penalty category C MAJOR drug)**, found in test sample **E282493**. The test sample was taken from the **SECOND place finisher "AMERICAN HUSSLE"** following **the 2nd race on July 7, 2018, at Ruidoso Downs, NM.**

The certificate of analysis from **Industrial Laboratories (official testing laboratory for the NMRC)** indicated a finding of **Dexamethasone at 132±2.2 pg/ml in the blood**, the allowable limit for Dexamethasone is 5 pg/ml in the blood (**15.2.6.9 Attachment 2 Page 3**). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Josue Ponce**.

Rogelio Marquez, Jr., the **owner** of record for horse "**AMERICAN HUSSLE**", was duly notified and failed to appear for this hearing. In accordance with **15.2.6.9(B)(4) PENALTY RECOMMENDATIONS**, this **Rogelio Marquez, Jr.'s FIRST Class 4C MAJOR medication violation in a 365-day period.**

For **Josue Ponce's FIRST Class 4C MAJOR medication violation in a 365- day period**, issued in accordance with **15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS**, the Board of Stewards hereby assess penalty as follows:

1. A **(\$1,000) one thousand dollar fine to paid on or before November 14, 2018**, in accordance with **15.2.3.8 (B)(3)(I) NMAC**. Failure to pay the fine in the prescribed time shall result in an immediate suspension.

Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards/15.2.6.9(C)(4) Medication Restrictions/15.2.6.11 (A)Trainer Responsibility/16.47.1.10(B)(1)(2) (3) Absolute Insurer/ 16.47.1.8(U)(1) Protection of Horses/ 16.47.1.8(T)Protection of Horses/ 15.2.6.9(F) Permissible Medications With Acceptable Levels /15.2.6.9(B)(4)Penalty Recommendations/15.2.1.9(B) (9)(b): Appeal Procedures 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.

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-ZIA-50
Track Zia Park
Ruling Date: 10/14/2018

Licensee: MARQUEZ JR., ROGELIO
License Type: 2018 3 Year Owner Applicant Id: 161177
License Number: 290599

Ruling # 2018-ZIA-50

Action Type: Initial Ruling

Ruling:

Owner **Rogelio Marquez, Jr.** was duly notified and , failed to appear, and had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance, before the Board of Stewards on October 14, 2018. The hearing was in regard to a confirmed positive for the therapeutic drug Dexamethasone (class 4 penalty category C MAJOR drug), found in test sample E282493. The test sample was taken from the SECOND place finisher "AMERICAN HUSSLE" following the 2nd race on July 7, 2018, at Ruidoso Downs, NM. The certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) indicated a finding of Dexamethasone at 132±2.2 pg/ml in the blood, the allowable limit for Dexamethasone is 5 pg/ml in the blood (15.2.6.9 Attachment 2 Page 3). Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by Josue Ponce.

Josue Ponce, the trainer of record for horse "AMERICAN HUSSLE", was duly notified and failed to appear for this hearing. In accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this Josue Ponce's FIRST Class 4C MAJOR medication violation in a 365-day period.

For Rogelio Marquez, Jr.'s FIRST Class 4C MAJOR medication violation in a 365- day period, issued in accordance with 15.2.6.9 (B)(4) PENALTY RECOMMENDATIONS, the Board of Stewards hereby assess penalty as follows:

1. The horse "AMERICAN HUSSLE" must pass a commission approved veterinary examination before being eligible to enter.
2. The horse "AMERICAN HUSSLE" is hereby disqualified from SECOND PLACE and ordered unplaced from the 2nd race on July 7, 2018, at Ruidoso Downs, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Flashing Candy
2. A Galaxy Guardian
3. Badhabit Jess
4. Sooner Cartel
5. Major Lips
6. C You Soon
7. Eagle Beauty
8. The Louisiana Dash
9. One Sweet Mind

Unplaced "AMERICAN HUSSLE"

Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards /15.2.6.9(C)(4) Medication Restrictions/15.2.6.11 (A) Trainer Responsibility/16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 16.47.1.8(U)(1) Protection of Horses/ 16.47.1.8(T) Protection of Horses/ 15.2.6.9(F) Permissible Medications With Acceptable Levels /15.2.6.9(B)(4) Penalty Recommendations/15.2.1.9(B)(9)(b): Appeal Procedures 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-ZIA-51**
Track: Zia Park
Ruling Date: 10/14/2018

Licensee: GONZALEZ-VIGI, EFRAIN

License Type: 2017 3 Year Jockey Applicant Id: 33494
License Number: 287447

Ruling # 2018-ZIA-51

Action Type: Initial Ruling

Ruling:

Jockey Efrain Gonzalez Vigi was summoned and appeared before the Board of Stewards on **October 14, 2018**. The hearing was in regard to **Efrain Gonzalez Vigi's** excessive use of the whip on his mount **"AIR FORCE WON"** during the running of the **10th race on October 13, 2018, at Zia Park Racetrack.**

The Board of Stewards hereby fines **Efrain Gonzalez Vigi** in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **November 14, 2018**, in accordance with **15.2.3.8(B)(3)(I)**. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.5.13(E)(6)(e) Use of riding crops. Indiscriminate use of the whip is prohibited including whipping a horse: on the head, flanks or on any other part of its body other than the shoulders or hind quarters except when necessary to control a horse; during the post parade or after the finish of the race except when necessary to control the horse; excessively or brutally causing welts or breaks in the skin; when the horse is clearly out of the race or has obtained its maximum placing; persistently even though the horse is showing no response under the riding crop; or striking another rider or horse.

15.2.1.9(B)(4)(A) Jockeys Notice of Hearing 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority/ 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-ZIA-52
Track Zia Park
Ruling Date: 10/15/2018

Licensee: LEGARDA-HERNANDEZ, ALAN ALEXIS
License Type: 2018 3 Year Jockey Applicant Id: 161096
License Number: 290674

Ruling # 2018-ZIA-52
Action Type: Initial Ruling
Ruling:

Jockey ALAN LEGARDA-HERNANDEZ was summoned and appeared before the Board of Stewards October 15, 2018, for careless riding during the running of the 1st race on October 14, 2018, at Zia Park Racetrack, while aboard "PILOTPOINTDASHING". (Bore out under left handed whip.)

The Board of Stewards hereby assess ALAN LEGARDA-HERNANDEZ a suspension of 7 calendar days (October 16, 2018, through October 22, 2018, inclusive). ALAN LEGARDA-HERNANDEZ is allowed to ride designated races.

Licensee is found in violation of and this ruling is written in accordance with:

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(d) NMAC: Post to Finish (d) In a straightaway race, every horse must maintain position as nearly as possible in the lane in which it starts. If a horse is ridden, drifts or swerves out of its lane in such a manner that it interferes with, impedes or intimidates another horse, it is a foul and may result in the disqualification of the offending horse.

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

Dwight Smith

Robert F. Jones



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-ZIA-53**
Track: Zia Park
Ruling Date: 10/15/2018

Licensee: SOTO, SALVADOR RENTERIA

License Type: 2016 3 Year Trainer Applicant Id: 7872
License Number: 282502

Ruling # 2018-ZIA-53

Action Type: Initial Ruling

Ruling:

Trainer **Salvador Soto** was duly notified, failed to appear, and had **his** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, before the Board of Stewards on **October 15, 2018**. The hearing was in regard to **Salvador Soto** failing to notify the Clerk of Scales or the Stewards of a Rider Change for entry **"LAJAKY JR" in the 9th race on September 29, 2018 at Zia Park Racetrack.**

The Board of Stewards hereby fines **Salvador Soto** in the amount of **two hundred dollars (\$200.00)**. The fine is to be paid on or before **November 15, 2018** in accordance with 15.2.3.8 (B)(3)(1) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

Licensee is found to be in violation of and this ruling is written in accordance with:

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.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/
15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-ZIA-54**
Track: Zia Park
Ruling Date: 10/15/2018

Licensee: DELAVAN, BO JAY

License Type: 2018 3 Year Trainer Applicant Id: 6983
License Number: 289394

Ruling # 2018-ZIA-54

Action Type: Initial Ruling

Ruling:

Trainer, Bo Jay Delavan, was duly notified and appeared before the Board of Stewards on **October 15, 2018**. The hearing was in regard to **Bo Jay Delavan** failing to declare equipment (**Blinkers ON**) at time of entry for **"JL RUN CHARLEY"**, entered in **the 1st race on September 30, 2018, at Zia Park Racetrack**.

The Board of Stewards hereby fines **Bo Jay Delavan** in the amount of **two hundred dollars (\$ 200.00)**. The fine is to paid on or before **November 15, 2018**, in accordance with 15.2.3.8(B)(3)(l) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.5.8 (B)(10) Procedure For Entries Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.5.8 (B)(6) Procedure For Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

15.2.5.13 (A)(6) Equipment For The Running Of The Race: No licensee may add blinkers to a horse's equipment or discontinue their use without the prior approval of the starter, the paddock judge, and the stewards.

15.2.6.11(E)(11)Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment and shoes.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/

15.2.1.9(B)(9)(a)Failure to Appeal

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 #: 2018-ZIA-55
Track Zia Park
Ruling Date: 10/16/2018

Licensee: ACOSTA, JR CARLOS H.

License Type: 2017 1 Year Owner Applicant Id: 19413
License Number: 287338

Ruling # 2018-ZIA-55

Action Type: Initial Ruling

Ruling:

Owner/trainer CARLOS ACOSTA, JR is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **finer (\$5,750)** assessed in **Rulings 2018-DAA-44, 2018-DAA-42, 2018-SRP-105**.

During said time of applicable suspension **CARLOS ACOSTA, JR** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **trained or owned by or under the care and custody of CARLOS ACOSTA, JR** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained or owned by or under the care and custody of CARLOS ACOSTA, JR** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers** and **15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-ZIA-56**
Track Zia Park
Ruling Date: 10/16/2018

Licensee: AMESTOY, PIERRE JEAN

License Type: Applicant Id: 29594
License Number:

Ruling # 2018-ZIA-56

Action Type: Initial Ruling

Ruling:

issued in error

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.

Diana Smith

Jill Catty

Kimber Rina



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-ZIA-57**
Track: Zia Park
Ruling Date: 10/16/2018

Licensee: APODACA, ELIZA

License Type: 2017 1 Year Spouse Pa Applicant Id: 8997
License Number: 288456

Ruling # 2018-ZIA-57

Action Type: Initial Ruling

Ruling:

Spouse Pass, ELIZA APODACA is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$300)** assessed in **Rulings 2018-NMS-4**.

During said time of applicable suspension **ELIZA APODACA** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The 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.

Olivia Smith

Robert L. Lujan



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-ZIA-58
Track Zia Park
Ruling Date: 10/16/2018

Licensee: APODACA, RAMON

License Type: 2017 3 Year Trainer Applicant Id: 29687
License Number: 287947

Ruling # 2018-ZIA-58

Action Type: Initial Ruling

Ruling:

Trainer/ Pony Person RAMON APODACA is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$300)** assessed in **Rulings 2018-dda-77**.

During said time of applicable suspension **RAMON APODACA** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **trained or owned by or under the care and custody of RAMON APODACA** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained or owned by or under the care and custody of RAMON APODACA** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES/16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-ZIA-59
Track Zia Park
Ruling Date: 10/16/2018

Licensee: BEN, GILBERT

License Type: 2018 1 Year Owner Applicant Id: 15724
License Number: 289476

Ruling # 2018-ZIA-59

Action Type: Initial Ruling

Ruling:

Owner/Trainer Gilbert Ben is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$2,500)** assessed in **Rulings 2018-DDA-70**.

During said time of applicable suspension **Gilbert Ben** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **trained or owned by or under the care and custody of Gilbert Ben** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained or owned by or under the care and custody of Gilbert Ben** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers** and **15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be

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

By Order of The 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 #: **2018-ZIA-60**
Track: Zia Park
Ruling Date: 10/16/2018

Licensee: **BENN, LYNLYE**

License Type: 2018 1 Year Trainer Applicant Id: 45886
License Number: 289619

Ruling # 2018-ZIA-60

Action Type: Initial Ruling

Ruling:

Trainer Lynlye Benn is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$200)** assessed in **Rulings 2018-SRP-115**.

During said time of applicable suspension **Lynlye Benn** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **trained or owned by or under the care and custody of Lynlye Benn** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained or owned by or under the care and custody of Lynlye Benn** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances**, **16.47.1.10 (D)(5) Assistant Trainers** and **15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The 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 #: **2018-ZIA-61**
Track: Zia Park
Ruling Date: 10/16/2018

Licensee: **BORUNDA, JAVIER**

License Type: 2017 3 Year Trainer Applicant Id: 27217
License Number: 284811

Ruling # 2018-ZIA-61

Action Type: Initial Ruling

Ruling:

Trainer Javier Borunda is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$3,000)** assessed in **Ruling 2018-SUN-129**.

During said time of applicable suspension **Javier Borunda** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **trained or owned by or under the care and custody of Javier Borunda** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained or owned by or under the care and custody of Javier Borunda** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/

15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The 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 #: **2018-ZIA-62**
Track: Zia Park
Ruling Date: 10/16/2018

Licensee: **FRANCO, ALBERT SERRANO**

License Type: 2015 3 Year Trainer Applicant Id: 32103
License Number: 280123

Ruling # 2018-ZIA-62

Action Type: Initial Ruling

Ruling:

Trainer Albert Franco is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fin**es **(\$600)** assessed in **Ruling 2018-RUI-152, 2018-RUI-132, 2018-RUI-119.**

During said time of applicable suspension **Albert Franco** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21).**

Additionally, effective upon applicable suspension dates, all horses **trained or owned by or under the care and custody of Albert Franco** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c).** All transfers and sales of horses **trained or owned by or under the care and custody of Albert Franco** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers** and **15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.**

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-ZIA-63**
Track: Zia Park
Ruling Date: 10/16/2018

Licensee: RODRIGUEZ, MATTHEW ROJERO
License Type: 2018 3 Year Owner Applicant Id: 161346
License Number: 291300

Ruling # 2018-ZIA-63

Action Type: Initial Ruling

Ruling:

Owner, MATTHEW ROJERO RODRIGUEZ was duly notified and appeared for a hearing before the Board of Stewards **on October 16, 2018**, for failing to disclose **his** criminal history on **his** license application.

After considering the mitigating circumstances, the Board of Stewards hereby issues a warning letter to **MATTHEW ROJERO RODRIGUEZ**. Furthermore, **MATTHEW ROJERO RODRIGUEZ** was allowed to submit an amended application and advised to disclose **his** full criminal/arrest record on any future licensing applications.

Licensee is found to be in violation of and this ruling is written in accordance with:
16.47.1.8 (L)(1)(d) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE.

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/
15.2.1.9(B)(9)(a)Failure to Appeal

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 #: 2018-ZIA-64
Track Zia Park
Ruling Date: 10/16/2018

Licensee: ROMO, MATTHEW
License Type: 2018 GARDENER Applicant Id: 161396
License Number: 291498

Ruling # 2018-ZIA-64

Action Type: Initial Ruling

Ruling:

2018 GARDENER, MATTHEW ROMO, was duly notified and responded telephonically for a hearing before The Board of Stewards on October 16, 2018, for currently being on probation.

The Board of Stewards hereby revoke any/all New Mexico Racing Commission licenses belonging to **MATTHEW ROMO** effective immediately October 16, 2018. Furthermore, **MATTHEW ROMO** is referred to the New Mexico Racing Commission for their further review prior to any future application. During said time of applicable suspension **MATTHEW ROMO** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC **per 15.2.1.9 (C)(21)(a-b) Exclusion**.

Licensee is found to be in violation of and this ruling is written in accordance with:

16.47.1.8 (L)(1)(d) GROUNDS FOR DISCIPLINARY MEASURES 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 has failed to disclose or falsely states any information required in the application;
16.47.1.8 (L) (3) GROUNDS FOR DISCIPLINARY MEASURES Any license denied, suspended or revoked by the commission pursuant to these rules shall state the time period for the effect of its ruling. When the action is taken for a misdemeanor or felony conviction, the time period shall be the period of the licensee's or applicant's imprisonment; or if not imprisoned, the period of probation, deferral, *unless the person can satisfy the commission of sufficient rehabilitation*. This rule shall also apply to licensees who voluntarily turn in their license because of, or in anticipation of, a conviction.

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

15.2.3.8 (B)(3)(g) STEWARDS AUTHORITY 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.

15.2.3.8 (B)(3)(j) REFER TO THE COMMISSION The stewards may refer any matter to the commission and may include recommendations for disposition. The absence of a steward's referral shall not preclude commission action in any matter

16.47.1.8(L)(2) Written Notice Of Suspension Or Revocation To Licensee And Other Jurisdictions

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The 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 #: 2018-ZIA-65
Track Zia Park
Ruling Date: 10/16/2018

Licensee: GALLEGOS, TONY M.

License Type: 2018 3 Year Trainer Applicant Id: 26850
License Number: 289546

Ruling # 2018-ZIA-65

Action Type: Initial Ruling

Ruling:

Trainer TONY M. GALLEGOS is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$1,000)** assessed in **Ruling 2015-DDA-106**.

During said time of applicable suspension **TONY M. GALLEGOS** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **trained or owned by or under the care and custody of TONY M. GALLEGOS** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained or owned by or under the care and custody of TONY M. GALLEGOS** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8) (b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The 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 #: **2018-ZIA-66**
Track: Zia Park
Ruling Date: 10/16/2018

Licensee: **GALVAN, FRANCISCO JIMENEZ**
License Type: 2017 1 Year Owner Applicant Id: 160523
License Number: 288200

Ruling # 2018-ZIA-66
Action Type: Initial Ruling
Ruling:

Owner FRANCISCO JIMENEZ GALVAN is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$2,500)** assessed in **Ruling 2018-SUN-200**.

During said time of applicable suspension **FRANCISCO JIMENEZ GALVAN** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **owned by or under the care and custody of FRANCISCO JIMENEZ GALVAN** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **owned by or under the care and custody of FRANCISCO JIMENEZ GALVAN** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-ZIA-67
Track Zia Park
Ruling Date: 10/16/2018

Licensee: GARCIA-MARQUEZ, ANSELMO

License Type: 2016 3 Year Trainer Applicant Id: 86392
License Number: 281548

Ruling # 2018-ZIA-67

Action Type: Initial Ruling

Ruling:

Trainer ANSELMO GARCIA-MARQUEZ is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$10,000)** assessed in **Ruling 2017-COMM-11**.

During said time of applicable suspension **ANSELMO GARCIA-MARQUEZ** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **trained or owned by or under the care and custody of ANSELMO GARCIA-MARQUEZ** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained or owned by or under the care and custody of ANSELMO GARCIA-MARQUEZ** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(c) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-ZIA-68
Track Zia Park
Ruling Date: 10/16/2018

Licensee: GONZALEZ, SR JOSE R
License Type: 2018 3 Year Trainer Applicant Id: 19527
License Number: 289496

Ruling # 2018-ZIA-68

Action Type: Initial Ruling

Ruling:

Trainer/Owner Jose R. Gonzalez Sr. is hereby suspended, effective immediately **October 16, 2018,** for failing to pay the **fine (\$2,750)** assessed in **Rulings 2018-DDA-22 and 2018-DDA-23.**

During said time of applicable suspension **Jose R. Gonzalez Sr.** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21).**

Additionally, effective upon applicable suspension dates, all horses **trained or owned by or under the care and custody of Jose R. Gonzalez Sr.** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c).** All transfers and sales of horses **trained or owned by or under the care and custody of Jose R. Gonzalez Sr.** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers** and **15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.**

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-ZIA-69
Track Zia Park
Ruling Date: 10/16/2018

Licensee: GUTIERREZ, GUADALUPE I.

License Type: 2016 3 Year Owner Applicant Id: 35377
License Number: 283293

Ruling # 2018-ZIA-69

Action Type: Initial Ruling

Ruling:

Owner Guadalupe I. Gutierrez is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **finer (\$10,000)** assessed in **Rulings 2017-SRP-92 and 2017-SRP-88**.

During said time of applicable suspension **Guadalupe I. Gutierrez** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **owned by or under the care and custody of Guadalupe I. Gutierrez** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **owned by or under the care and custody of Guadalupe I. Gutierrez** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers** and **15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-ZIA-70
Track Zia Park
Ruling Date: 10/16/2018

Licensee: CABRERA, YANETH

License Type: 2016 3 Year Owner Applicant Id: 33209
License Number: 284452

Ruling # 2018-ZIA-70

Action Type: Initial Ruling

Ruling:

Owner Yaneth Cabrera is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$5,000)** assessed in **Ruling 2017-SRP-34**.

During said time of applicable suspension **Yaneth Cabrera** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **owned by or under the care and custody of Yaneth Cabrera** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **owned by or under the care and custody of Yaneth Cabrera** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/

15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The 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 #: 2018-ZIA-71
Track Zia Park
Ruling Date: 10/16/2018

Licensee: CARRIZOSA, FELIZARDO BORBON
License Type: 2018 1 Year Groom Applicant Id: 35250
License Number: 291029

Ruling # 2018-ZIA-71

Action Type: Initial Ruling

Ruling:

Groom/ Exercise Person FELIZARDO BORBON CARRIZOSA is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$200)** assessed in **Ruling 2018-NMS-1**.

During said time of applicable suspension **FELIZARDO BORBON CARRIZOSA** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The 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 #: **2018-ZIA-72**
Track: Zia Park
Ruling Date: 10/16/2018

Licensee: CAZARES, MICHAEL ALAN
License Type: 2016 3 Year Jockey Applicant Id: 30365
License Number: 282149

Ruling # 2018-ZIA-72

Action Type: Initial Ruling

Ruling:

Jockey Michael Alan Cazares is hereby suspended, effective immediately **October 16, 2018,** for failing to pay the **fine (\$50)** assessed in **Ruling 2017-DDA-56.**

During said time of applicable suspension **Michael Alan Cazares** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21).**

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2018-ZIA-73**
Track: Zia Park
Ruling Date: 10/16/2018

Licensee: **FOURNIER, IRVING JOEL**

License Type: 2016 3 Year Owner Applicant Id: 7130
License Number: 281275

Ruling # 2018-ZIA-73

Action Type: Initial Ruling

Ruling:

Owner/trainer Irving Joel Fournier is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$750)** assessed in **Ruling 2018-RUI-96**.

During said time of applicable suspension **Irving Joel Fournier** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **trained or owned by or under the care and custody of Irving Joel Fournier** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained or owned by or under the care and custody of Irving Joel Fournier** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers and 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(c) Grounds For Disciplinary Measures/
15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The 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 #: 2018-ZIA-74
Track Zia Park
Ruling Date: 10/16/2018

Licensee: GUTIERREZ, TAURINO GONZALEZ
License Type: 2017 3 Year Trainer Applicant Id: 33130
License Number: 284861

Ruling # 2018-ZIA-74

Action Type: Initial Ruling

Ruling:

Owner/trainer Taurino Gonzalez-Gutierrez is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$25,000)** assessed in **Ruling 2017-COMM-4**.

During said time of applicable suspension **Taurino Gonzalez-Gutierrez** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Additionally, effective upon applicable suspension dates, all horses **trained or owned by or under the care and custody of Taurino Gonzalez-Gutierrez** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained or owned by or under the care and custody of Taurino Gonzalez-Gutierrez** must be done in accordance with **15.2.6.9A(12)(a)(b)** **Medication and Prohibited Substances, 16.47.1.10 (D)(5) Assistant Trainers** and **15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2018-ZIA-75
Track Zia Park
Ruling Date: 10/16/2018

Licensee: GUTIERREZ, JR LUIS ALONSO
License Type: 2016 3 Year Jockey Applicant Id: 20180
License Number: 283848

Ruling # 2018-ZIA-75

Action Type: Initial Ruling

Ruling:

Jockey LUIS ALONSO GUTIERREZ, JR is hereby suspended, effective immediately **October 16, 2018**, for failing to pay the **fine (\$50)** assessed in **Ruling 2018-DDA-15**.

During said time of applicable suspension **LUIS ALONSO GUTIERREZ, JR** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**.

Licensee is found to be in violation of and this ruling is written in accordance with:

15.2.3.8 (B)(3)(1) All fines imposed by the Stewards shall be paid to the Commission within 30 days after the ruling is issued, unless otherwise ordered

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

By Order of The 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.