



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2019-ZIA-1**
Track: Zia Park
Ruling Date: 9/13/2019

Licensee: **MARLIN, JOY ELYSE**
License Type: **2016 3 Year Trainer** Applicant Id: **2253**
License Number: **283488**

Ruling # 2019-ZIA-1
Action Type: Initial Ruling
Ruling:

The Owners license **(285031)** as well as the Trainer's license **(283488)** issued to Joy Elyse Marlin is hereby rescinded without prejudice as she is no longer working in those categories and has been issued a Clocker and Placing Judge license.

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license./ 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a) (c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority
16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 15.2.1.9(B)(9)(a)Failure to Appeal/ 15.2.1.9(B)(9)(b):

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.



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Ruling #: 2019-ZIA-2
Track Zia Park
Ruling Date: 9/17/2019

Licensee: PALMER, MAX G

License Type: 2018 1 Year Groom Applicant Id: 161578
License Number: 292173

Ruling # 2019-ZIA-2

Action Type: Initial Ruling

Ruling:

Groom Max Palmer is hereby summarily suspended, effective immediately September 16, 2019, pending the outcome of his summary hearing on September 24, 2019, @ 9:00 a.m. in the offices of the Board of Stewards at Zia Park Racetrack (3901 West Millen Drive Hobbs, NM 88240) per 15.2.1.9 (B)(3)(b) Summary Suspension, regarding a failed drug test taken on September 16, 2019 as required for licensure. During said time of applicable suspension Max Palmer is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per 15.2.1.9 (C)(21)(a-b) Exclusion.

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

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

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

16.47.1.18 (A) (1) TESTING PROCEDURES At its discretion, the commission may conduct random or episodic random drug testing, as well as testing based on reasonable suspicion, in order to ensure safety on the racetrack.

16.47.1.17 (A)(3) TESTING PROCEDURES When conducted, random drug testing shall apply, equally, to all licensees who are, at the time of the random testing, exercising the privileges of their license in such ways as may affect the outcome of a race or diminish the conditions of safety or decorum required in restricted areas.

16.47.1.17 (C) (3) Human Drug Testing/ Restricted Activities It shall be an offense to exercise the privileges granted by a license from this commission if the licensee: is intoxicated or under the influence of alcohol or a controlled substance;

16.47.1.18 (A) (3) TESTING PROCEDURES No notice need be given as to onset or cessation of random testing.

16.47.1.8 (E) Consent to Search and Seizure By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents, and to the seizure of any prohibited medication, drugs, paraphernalia, or devices in accordance with State and Federal law. **16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license** The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule. **15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (F) 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**

By Order of The Zia Park Stewards



New Mexico Racing Commission
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Ruling #: **2019-ZIA-3**
Track: Zia Park
Ruling Date: 9/20/2019

Licensee: ALDRETE-BIZCARRA, HECTOR
License Type: 2019 3 Year Jockey Applicant Id: 35261
License Number: 292775

Ruling # 2019-ZIA-3
Action Type: Initial Ruling
Ruling:

Jockey Hector Aldrete is hereby suspended, effective immediately September 20, 2019, for failing to pay the fine (\$200) assessed in Ruling 2019-RUI-147.

During said time of applicable suspension Hector Aldrete 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/

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.



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Ruling #: **2019-ZIA-4**
Track: Zia Park
Ruling Date: 9/20/2019

Licensee: ROSENDO, IRWIN JESUS
License Type: 2018 3 Year Jockey Applicant Id: 45713
License Number: 292425

Ruling # 2019-ZIA-4
Action Type: Initial Ruling
Ruling:

Jockey Irwin Rosendo is hereby suspended, effective immediately September 20, 2019, for failing to pay the fine (\$200) assessed in Ruling 2019-DAA-7.

During said time of applicable suspension Irwin Rosendo 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/

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.

2019-ZIA-5

RULING

NOT

ISSUED

2019-ZIA-6

RULING

NOT

ISSUED



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: **2019-ZIA-7**
Track: Zia Park
Ruling Date: 9/23/2019

Licensee: **ORTIZ, JOSE ENRIQUE**
License Type: **2019 3 Year Jockey** Applicant Id: **35364**
License Number: **294190**

Ruling # 2019-ZIA-7
Action Type: Initial Ruling
Ruling:

Jockey Jose Enrique Ortiz was summoned and failed to appear or respond, and had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance on September 23, 2019, for failing to be excused from, or to notify the Board of Stewards of his absence, and subsequent failure to honor his riding engagements on August 17, 2019, and August 18, 2019, at Ruidoso Downs.

The Board of Stewards hereby fines Jose Enrique Ortiz in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before October 23, 2019 in accordance with 15.2.3.8(B)(3)(k) 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 written in accordance with:

15.2.5.13(C)(1) Jockeys shall report to the Jockey's quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the Jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the Stewards.

5.2.5.13(C)(3) Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the Stewards.

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.



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Ruling #: **2019-ZIA-8**
Track: Zia Park
Ruling Date: 9/23/2019

Licensee: **ORTIZ, JOSE ENRIQUE**
License Type: **2019 3 Year Jockey** Applicant Id: **35364**
License Number: **294190**

Ruling # 2019-ZIA-8
Action Type: Initial Ruling
Ruling:

Jockey Jose Enrique Ortiz was summoned and failed to appear, respond, or send a jockey guild's representative for a hearing before the Board of Stewards on September 22, 2019. The hearing was regarding a failure to honor riding engagements **on August 17, 2019 and August 18, 2019, at Ruidoso Downs.**

The Board of Stewards hereby fines **Jose Enrique Ortiz** in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **October 23rd, 2019** in accordance with **15.2.3.8(B)(3)(k)**. Failure to pay the fine within the time prescribed will result in immediate suspension.

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

15.2.1.9(B)(4)(d) Nonappearance Of A Summoned Party 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.

15.2.1.9(B)(4)(A) Notice Of Hearing- Jockey Except as provided by these rules regarding summary suspension, jockey riding infractions and trial races, the stewards or a racing commission designee shall provide written notice, at least 10 days before the hearing, to a person who is the subject of a disciplinary hearing. The person may waive their right to 10 days notice by executing a written waiver.

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/

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.