



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2017-ZIA-39  
Track Zia Park  
Ruling Date: 10/1/2017

Licensee: FENNELL, ERNEST

License Type: 2015 3 Year Trainer      Applicant Id: 34414  
License Number: 277642

Ruling # 2017-ZIA-39  
Action Type: Case Continued  
Ruling:

RE: 2017-ZIA-39 - Case Continued

Trainer, **Ernest Fennell**, having been duly notified, failing 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 9, 2017**. The hearing was in regard to a summary suspension instated on **October 1, 2017**, for the detection of the Class 2 Penalty A drug **Zilpaterol** and the Class 3 Penalty B drug **clenbuterol** in **sample #NM29128**.

In accordance with **15.2.1.9(B)(3)(a)**, the Board of Stewards hereby continue the summary suspension of **Ernest Fennell's trainers license until a disciplinary hearing can be held (date to be determined when split sample results are received)**.

In accordance with **15.2.1.9 (C)(21)**, **Ernest Fennell** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC **and all horses owned, trained, or under the care Ernest Fennell are denied further entry**.

**Licensee is found in violation of:**

**15.2.1.9(B)(3)(a)**: Which states in pertinent part "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".

**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.

**This ruling is written in accordance:**

**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"**15.2.1.8(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**

*Adilet Smith*