



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-1**
Track Ruidoso Downs
Ruling Date: 5/19/2021

Licensee: ALVAREZ, LUIS ALBERTO
License Type: 2020 1 Year Security St Applicant Id: 7727
License Number: 298353

Ruling # 2021-RUI-1
Action Type: Initial Ruling
Ruling:

The Security License #298353 issued to Luis Alvarez is hereby **rescinded without prejudice** as he is no longer employed in that position, which is a requirement to be licensed.

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.

15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(a) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-2**
Track: Ruidoso Downs
Ruling Date: 5/19/2021

Licensee: DRAPER, ROBYNE HELENA

License Type: 2018 3 Year Trainer Applicant Id: 25966
License Number: 291722

Ruling # 2021-RUI-2

Action Type: Initial Ruling

Ruling:

The **Trainer's** and **Owner's** Licenses issued to **Robyne Draper** is hereby rescinded without prejudice, **Robyne Draper** is hereby issued a Clocker's License.

This ruling is written 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".

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-3**
Track: Ruidoso Downs
Ruling Date: 5/19/2021

Licensee: QUINTANA, ERIC

License Type: 2020 1 Year Trainer Applicant Id: 32469
License Number: 299796

Ruling # 2021-RUI-3
Action Type: Initial Ruling
Ruling:

The **Trainer's license** issued to **Eric Quintana** is hereby rescinded without prejudice, **Eric Quintana** is hereby issued an Assistant Starter's License.

This ruling is written 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".

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-4**
Track: Ruidoso Downs
Ruling Date: 5/19/2021

Licensee: ZAMORA, JAMIE LYNN

License Type: 2020 1 Year Asst Racin Applicant Id: 16886
License Number: 299632

Ruling # 2021-RUI-4

Action Type: Initial Ruling

Ruling:

The Asst. Racing Secretary's license issued to Jamie Zamora is hereby rescinded without prejudice, Jamie Zamora is hereby issued a Racing Secretary and Handicapper's License.

This ruling is written 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".

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-5**
Track **Ruidoso Downs**
Ruling Date: **5/30/2021**

Licensee: **CASTRO, RUBEN ANGEL**

License Type: **2019 3 Year Jockey** Applicant Id: **161094**
License Number: **295613**

Ruling # **2021-RUI-5**

Action Type: **Initial Ruling**

Ruling:

Jockey **Ruben Castro**, having been summoned and appeared before the Board of Stewards on **May 30, 2021**, for **excessive use of whip**, while aboard "**Cell Bounce**" in the **14th Race May 29, 2021** at Ruidoso Downs Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Ruben Castro**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **June 29, 2021** in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

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.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A)NMAC Notice 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.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is June 9, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-6**
Track: Ruidoso Downs
Ruling Date: 5/31/2021

Licensee: BARRAZA-PENA, JESUS

License Type: 2020 1 Year Jockey Val Applicant Id: 3787
License Number: 298416

Ruling # 2021-RUI-6

Action Type: Initial Ruling

Ruling:

The Jockey Valet's license #298416 issued to **Jesus Barraza-Pena.** is hereby **rescinded without prejudice** as he is no longer employed in that position, which is a requirement to be in that capacity. **Jesus Barraza-Pena was issued a grooms 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.

15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(a) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T. KNOWLEDGE OF RULES:
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, or money order"
Last Date for Appeal: **June 10, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-7**
Track: Ruidoso Downs
Ruling Date: 5/31/2021

Licensee: HILLING, CURTIS R

License Type: 2020 1 Year Corporate Applicant Id: 15985
License Number: 299784

Ruling # 2021-RUI-7

Action Type: Initial Ruling

Ruling:

The General Manager and the Corporate Officer/Director's Licenses issued to **Curtis Hilling** are hereby **rescinded without prejudice** as he is no longer employed in that position, which is a requirement to be licensed.

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.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

Last Date for Appeal: June 10, 2021

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-8**
Track: Ruidoso Downs
Ruling Date: 6/5/2021

Licensee: **BACA, BENITO JUDE**
License Type: **2020 3 Year Jockey** Applicant Id: **30108**
License Number: **299063**

Ruling # 2021-RUI-8

Action Type: Initial Ruling

Ruling:

Jockey: **Benito J. Baca**, having been duly notified **and having appeared** before the Board of Stewards on **June 5, 2021**, for striking his mount in the post parade prior to **the 3rd race schooling race on May 4, 2021 at Ruidoso Downs Racetrack.**

For this rule violation, the Board of Stewards assess **Benito J. Baca** a warning due to testimony presented during the hearing that Mr. Baca was on a stud horse which was getting out of control, and was necessary for the safety of other riders and horses.

Licensee is found to be in violation of:

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.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A)NMAC Notice 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.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of, a cashier's check, or money." **Last date for appeal June 15, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-9**
Track **Ruidoso Downs**
Ruling Date: **6/5/2021**

Licensee: **MARQUEZ, ANGEL EMMANUEL**
License Type: **2020 1 Year Jockey** Applicant Id: **159532**
License Number: **300238**

Ruling # 2021-RUI-9

Action Type: Initial Ruling

Ruling:

Jockey **Angel Marquez**, having been summoned and appeared before the Board of Stewards on **June 5, 2021**, for **excessive use of whip**, while aboard "**Martinica**" in the **2nd Race June 4, 2021** at Ruidoso Downs Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Angel Marquez**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **July 5, 2021** in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

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.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) NMAC Notice 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.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is June 15, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-10**
Track **Ruidoso Downs**
Ruling Date: **6/5/2021**

Licensee: **DELGADO, MARIO**

License Type: **2019 3 Year Jockey** Applicant Id: **137037**
License Number: **294411**

Ruling # **2021-RUI-10**

Action Type: **Initial Ruling**

Ruling:

Jockey **Mario A Degado**, having been summoned and appeared before the Board of Stewards on **June 5, 2021**, for **excessive use of whip**, while aboard "**Long Pour**" in the **11th Race June 4, 2021** at Ruidoso Downs Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Mario A Delgado**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **July 5, 2021** in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

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.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A)NMAC Notice 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.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is June 15, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-11**
Track Ruidoso Downs
Ruling Date: 6/9/2021

Licensee: VIRAMONTES, HUMBERTO

License Type: Applicant Id: 30998
License Number:

Ruling # 2021-RUI-11

Action Type: Initial Ruling

Ruling:

Mr. Viramontes has paid the \$1500 fine associated with Ruling Number 10083113 in full and has been cleared in Rulings 10078309 & 10062463 and therefore is eligible for licensure in New Mexico.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-12**
Track: Ruidoso Downs
Ruling Date: 6/11/2021

Licensee: CHAVEZ, ALEJANDRO

License Type: 2018 3 Year Trainer Applicant Id: 31113
License Number: 292135

Ruling # 2021-RUI-12

Action Type: Initial Ruling

Ruling:

Trainer: **Alejandro Chaves**, having been duly notified and appeared before the Board of Stewards **on June 6, 2021** regarding his hearing for failure to report to the **Downs of Albuquerque Test Barn Facility for out of competition testing on May 19, 2021 with horses "Downtown Dynasty", "Eye Know the Secret", and "Valiant Tort"** who were selected for out of competition testing.

After hearing testimony in this matter, the Board of Stewards access the following:

1. **Alejandro Chaves** was not properly notified in accordance with **15.2.6.9 J (8) OUT OF COMPETITION TESTING** and no further action taken against **Alejandro Chaves**
2. The **horses "Downtown Dynasty", "Eye Know the Secret", and "Valiant Tort" are on the steward's list and must test negative in hair before entry, per 15.2.6.9.NMAC.**

This ruling is written in accordance with

15.2.6.9 J (7) (a) OUT OF COMPETITION TESTING/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 a cashier's check, or money order" **Last date for appeal: June 21, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-13**
Track: Ruidoso Downs
Ruling Date: 6/11/2021

Licensee: RAMIREZ, ESTEBAN

License Type: 2020 3 Year Trainer Applicant Id: 19424
License Number: 300071

Ruling # 2021-RUI-13

Action Type: Initial Ruling

Ruling:

Trainer: **Esteban Ramirez**, having been duly notified and appeared before the Board of Stewards **on June 5, 2021** regarding his hearing for failure to report to the **Downs of Albuquerque Test Barn Facility for out of competition testing on May 19, 2021 with horses "Jess Call Meh", and "La Bella Julia"**, which were selected for out of competition testing.

After hearing testimony in this matter, the Board of Stewards access the following:

1. **Esteban Ramirez** was not properly notified in accordance with **15.2.6.9 J (8) OUT OF COMPETITION TESTING** and no further action will be taken against **Esteban Ramirez**
2. **The horses "Jess Call Meh", and "La Bella Julia" are on the steward's list and must test negative in hair before entry, per 15.2.6.9.NMAC.**

This ruling is written in accordance with

15.2.6.9 J (7) (a) OUT OF COMPETITION TESTING/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 a cashier's check, or money order" **Last date for appeal: June 21, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-14**
Track: Ruidoso Downs
Ruling Date: 6/11/2021

Licensee: JONES, PAUL COMMODORE
License Type: 2018 3 Year Trainer Applicant Id: 23622
License Number: 291074

Ruling # 2021-RUI-14

Action Type: Initial Ruling

Ruling:

Trainer: **Paul C. Jones** was duly notified and appeared with his attorney Mr. Billy Blackburn before the Board of Stewards on June 6, 2021. The hearing was in regard to the confirmed positive of the Drug Class 2 Penalty Class B Mepivacaine, found in test sample E329448 taken from the 1st place finisher, "**Jess Macho Corona**", in the 3rd race on July 27, 2019, at Ruidoso Downs.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to trainer and confirmed by U C Davis.

Tommie R. Turner and Gary L. Nutt are the owners of record for the horse "**Jess Macho Corona**", were duly notified and represented by Mr. Billy Blackburn.

Mitigating Circumstances: Testimony showed that the drug was introduced through accidental contamination.

For **Paul C. Jones** the Board of Stewards will take no further action per **15.2.6.9 (B)(2) Penalty Recommendations**

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/15.2.6.9. 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)(2)(3)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations.

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. **Last Date for Appeal: June 21, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-15**
Track: Ruidoso Downs
Ruling Date: 6/11/2021

Licensee: SAUMELL, LISA A
License Type: 2020 1 Year Assistant T Applicant Id: 2511
License Number: 299475

Ruling # 2021-RUI-15

Action Type: Initial Ruling

Ruling:

Asst.Trainer: **Lisa A. Saumell** was duly notified and appeared with her attorney Mr. Billy Blackburn before the Board of Stewards on June 6, 2021. The hearing was in regard to the confirmed positive of the Drug Class 2 Penalty Class B Mepivacaine, found in test sample E329448 taken from the 1st place finisher, "**Jess Macho Corona**", in the 3rd race on July 27, 2019, at Ruidoso Downs.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to trainer and confirmed by U C Davis.

Tommie R. Turner and Gary L. Nutt are the owners of record for the horse "**Jess Macho Corona**", were duly notified and represented by Mr. Billy Blackburn.

Mitigating Circumstances: Testimony showed that the drug was introduced through accidental contamination.

For **Lisa A. Saumell** the Board of Stewards will take no further action per **15.2.6.9 (B)(2) Penalty Recommendations**

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/15.2.6.9. 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)(2)(3)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations.

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. **Last Date for Appeal: June 21, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-16**
Track **Ruidoso Downs**
Ruling Date: **6/12/2021**

Licensee: **TURNER, TOMMIE R**
License Type: **2020 3 Year Owner** Applicant Id: **6640**
License Number: **298309**

Ruling # 2021-RUI-16

Action Type: Initial Ruling

Ruling:

Owner Tommie R. Turner was duly notified, and represented by his Attorney Billy Blackburn, appeared before the Board of Stewards on June 6, 2021. The hearing was regarding a confirmed positive urine sample for the drug Mepivacaine (class 2B), found in test sample E329448. The test sample was taken from the first place finisher "Jess Macho Corona" following the 3d race on July 27, 2019 at Ruidoso Downs Racetrack.

The certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) indicated a finding of Mepivacaine at 88 ng/mL in the blood, which exceeds the limit 10 ng/mL per 15.2.6.9 NMAC Attachment 2

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to Trainer Paul C. Jones and was confirmed by UC Davis Labs.

Paul C Jones was the trainer of record for the horse "Jess Macho Corona" at the time of the violation.

In accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Owners Gary L Nutt and Tommie R Turner First Class 2B medication violation in a 365-day period. The Board of Stewards hereby assess penalty as follows:

1. The horse "Jess Macho Corona" is hereby disqualified from first place and ordered unplaced from the 3d race on July 27, 2019 at Ruidoso Downs Racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows:

- 1) Apolitical Flying
 - 2) Call of Duty
 - 3) My Mystery Lover
 - 4) The Grand Legend
 - 5) Oats and Honey
 - 6) Fine Oak Corona
- Unplaced: Jess Macho Corona

2. The horse "Jess Macho Corona" must pass a commission approved examination before being eligible to enter.

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) Medication Restrictions / 15.2.6.9(F) Permissible / 15.2.6.9 NMAC Attachment 2 / Medications With Acceptable Levels / 15.2.6.9(B)(4) Penalty Recommendations / 15.2.3.8(B)(3)(k) Redistribution of Prizes / 15.2.5.13(E)(4)(d) NMAC

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is June 21, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-17**
Track: **Ruidoso Downs**
Ruling Date: **6/12/2021**

Licensee: **NUTT, GARY LANE**
License Type: **2018 3 Year Owner** Applicant Id: **161301**
License Number: **291146**

Ruling # **2021-RUI-17**

Action Type: **Initial Ruling**

Ruling:

Owner Gary L. Nutt was duly notified and represented by his Attorney Billy Blackburn who appeared before the Board of Stewards on June 6, 2021. The hearing was regarding a confirmed positive urine sample for the drug Mepivacaine (class 2B), found in test sample E329448. The test sample was taken from the first place finisher "Jess Macho Corona" following the 3d race on July 27, 2019 at Ruidoso Downs Racetrack.

The certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) indicated a finding of Mepivacaine at 88 ng/mL in the blood, which exceeds the limit 10 ng/mL per 15.2.6.9 NMAC Attachment 2

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to Trainer Paul C. Jones and was confirmed by UC Davis Labs.

Paul C Jones was the trainer of record for the horse "Jess Macho Corona" at the time of the violation.

In accordance with 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Owners Gary L Nutt and Tommie R Turner First Class 2B medication violation in a 365-day period. The Board of Stewards hereby assess penalty as follows:

1. The horse "Jess Macho Corona" is hereby disqualified from first place and ordered unplaced from the 3d race on July 27, 2019 at Ruidoso Downs Racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows:

- 1) Apolitical Flying
- 2) Call of Duty
- 3) My Mystery Lover
- 4) The Grand Legend
- 5) Oats and Honey
- 6) Fine Oak Corona

Unplaced: Jess Macho Corona

2. The horse "Jess Macho Corona" must pass a commission approved examination before being eligible to enter.

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) Medication Restrictions / 15.2.6.9(F) Permissible / 15.2.6.9 NMAC Attachment 2 / Medications With Acceptable Levels / 15.2.6.9(B)(4) Penalty Recommendations / 15.2.3.8(B)(3)(k) Redistribution of Prizes / 15.2.5.13(E)(4)(d) NMAC.

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is June 21, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-18**
Track: Ruidoso Downs
Ruling Date: 6/12/2021

Licensee: HENDERSON, CALANDRA CANDACE
License Type: 2021 1 Year Pari Mutue Applicant Id: 163460
License Number: 300568

Ruling # 2021-RUI-18

Action Type: Initial Ruling

Ruling:

Ms Calandra Henderson (Pari Mutual employee) having been duly notified, having failed to appear, and had her hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **June 12th 2012, at Ruidoso Downs**. The hearing was to determine whether she had violated 16.47.1.8 GENERAL PROVISIONS and NMAC 16.47.1.8 T. Knowledge of the Rules and NMAC 16.47.1.8.L (1) (a) (d) (i) Grounds for disciplinary measure for a license, and refusal, denial, suspension, or revocation of a license and whether a penalty or other disciplinary action should be imposed upon for the alleged violation(s) by the Board of Stewards.

For this violation, the Board of Stewards issue **Calandra Henderson** a penalty of the following:

A suspension of any/all New Mexico Racing Commission licenses, effective immediately **June 12th, 2021**.

She must appear before the New Mexico Racing Commission to explain her prior arrest record.

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

Licensee is found to be in violation of:

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

This ruling is written in accordance with:

15.2.3.8 B (3) (f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A) (1) License Required

16.47.1.8 (A) (2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states "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 or money order."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-19**
Track: Ruidoso Downs
Ruling Date: 6/12/2021

Licensee: KEE, NANABAH J

License Type: Applicant Id: 163484
License Number:

Ruling # 2021-RUI-19

Action Type: Initial Ruling

Ruling:

Kee, J. Nanabah (Janitor) having been duly notified, having failed to appear, and had her hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **June 12th 2012, at Ruidoso Downs**. The hearing was to determine whether she had violated 16.47.1.8 GENERAL PROVISIONS and NMAC 16.47.1.8 T. Knowledge of the Rules and NMAC 16.47.1.8.L (1) (a) (d) (i) Grounds for disciplinary measure for a license, and refusal, denial, suspension, or revocation of a license and whether a penalty or other disciplinary action should be imposed upon for the alleged violation(s) by the Board of Stewards.

For this violation, the Board of Stewards issue **Kee, J. Nanabah** a penalty of the following:

A suspension of any/all New Mexico Racing Commission licenses, effective immediately **June 12th, 2021**.

She must appear before the New Mexico Racing Commission to explain her prior felony arrest record.

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

Licensee is found to be in violation of:

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

This ruling is written in accordance with:

15.2.3.8 B (3) (f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A) (1) License Required

16.47.1.8 (A) (2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states "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 or money order."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-RUI-20
Track Ruidoso Downs
Ruling Date: 6/13/2021

Licensee: LEYBA, MICHAEL ANTHONY

License Type: 2021 1 Year Track Mai Applicant Id: 16129
License Number: 300481

Ruling # 2021-RUI-20

Action Type: Initial Ruling

Ruling:

Track Maintenance employee License #300481 issued to Michael Leyba is hereby **rescinded without prejudice** as he has appeared before the Board of Stewards telephonically on June 13th , 2021, and stated he does not work in this capacity any longer.

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.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs 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 #: 2021-RUI-21
Track Ruidoso Downs
Ruling Date: 6/18/2021

Licensee: ROMAN, JR JAVIER
License Type: 2020 3 Year Trainer Applicant Id: 17950
License Number: 297187

Ruling # 2021-RUI-21

Action Type: Initial Ruling

Ruling:

Trainer: **Javier Roman Jr.**, is hereby summarily suspended (effective immediately, 6/17/2021) for the detection of the Class 3 Penalty A drug **Clenbuterol** in sample #E436415, per **15.2.6.9 (C)(4)** from the horse **Jr Little Regard** May 15, 2021 at Sunray Park.

In accordance with **15.2.1.9 (C)(21)**, **Javier Roman Jr** is hereby excluded from all areas of the grounds under the jurisdiction of the NMSRC and all horses owned, trained, or under the care Javier Roman Jr are denied further entry, pending the outcome of his summary suspension hearing on June 26, 2021 at 9:30 am in the office of Board of Stewards at Ruidoso Downs Race Track (26225 US 70, Ruidoso Downs NM 88346 per 15.2.1.9 (B)(3)(b).

Licensee is found in violation of:

15.2.1.9(B)(3)(a) NMAC: 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"

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

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

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-RUI-22
Track Ruidoso Downs
Ruling Date: 6/19/2021

Licensee: Sanchez-Carrillo, Beatriz
License Type: 2018 3 Year Trainer Applicant Id: 160054
License Number: 291773

Ruling # 2021-RUI-22

Action Type: Initial Ruling

Ruling:

Trainer: **Beatriz Sanchez-Carrillo** is hereby suspended (effective immediately, 6/19/2021) for the detection of the Class 3 Penalty A drug Albuterol in sample #E436402, per **15.2.6.9 (C)(4)** from the quarterhorse "**Zoominair**" May 1, 2021 at Sunray Park.

In accordance with **15.2.1.9 (C)(21)**, **Beatriz Sanchez-Carrillo** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC and all horses owned, trained, or under the care **Beatriz Sanchez-Carrillo** are denied further entry, pending the outcome of her **summary suspension hearing on June 26, 2021 at 10:30 am in the office of Board of Stewards at Ruidoso Downs Race Track (26225 US 70, Ruidoso Downs NM 88346 per 15.2.1.9 (B)(3)(b).**

Licensee is found in violation of:

15.2.1.9(B)(3)(a) NMRC: 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"

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

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

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-23**
Track: Ruidoso Downs
Ruling Date: 6/19/2021

Licensee: Ruiz, Jorge Indalecio
License Type: 2020 1 Year Owner Applicant Id: 157737
License Number: 299093

Ruling # 2021-RUI-23

Action Type: Initial Ruling

Ruling:

Owner Jorge Indalencio Ruiz was duly notified, and was represented by his Trainer, Estabian Ramirez who waived his right to a hearing before the Board of Stewards on June 19, 2021. The hearing was in regard to the horse Zulu Moon. He ran at SunRay Park on May 1, 2021. Zulu Moon was ineligible because he was claimed at Remington Park. Oklahoma Racing Commission has a rule that's states they can't run at a different track until their race meet is finished.

15.2.1.9,B.(c) The Stewards shall honor the rulings issued by other par-mutuel racing commissions.

The Board of Stewards hereby assess penalty as follows:

The horse "Zulu Moon" is hereby disqualified from third place and ordered unplaced from the 2nd race on May 1, 2021 at SunRay Park racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows:

- 1) Running Zulu
- 2) Pretty Boy Ar
- 3) Rosies Bolt
- 4) Hot Daddy
- 5) Sir Woodrow F Call
- 6) The Maui Diamond
- 7) A Feature Dynasty
- 8) La Bella Azul
- Unplaced: Zulu Moon

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) Medication Restrictions / 15.2.6.9(F)Permissible/ 15.2.6.9 NMAC Attachment 2/ Medications With Acceptable Levels /15.2.6.9(B)(4)Penalty Recommendations/ 15.2.3.8(B)(3)(k) Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-24**
Track: Ruidoso Downs
Ruling Date: 6/19/2021

Licensee: RAMIREZ, ESTEBAN

License Type: 2020 3 Year Trainer Applicant Id: 19424
License Number: 300071

Ruling # 2021-RUI-24

Action Type: Initial Ruling

Ruling:

Trainer Estabian Ramirez waived his right to a hearing before the Board of Stewards on June 19, 2021. The hearing was in regard to the horse Zulu Moon who ran at SunRay Park on May 1, 2021. Zulu Moon was ineligible because he was claimed at Remington Park. The Oklahoma Racing Commission has a rule that states they can't run at a different track until their race meet is finished.

15.2.1.9, B. (c) The Stewards shall honor the rulings issued by other par-mutuel racing commissions.

The Board of Stewards hereby assess penalty as follows:

1. A fine of Five Hundred Dollars (\$500.00) which must be paid on or before thirty days (30) , July 19, 2021.

2. The horse "Zulu Moon" is hereby disqualified from third place and ordered unplaced from the 2nd race on May 1, 2021 at SunRay Park racetrack for all but pari-mutuel wagering.

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, Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC 15.2.1.9(B)(9)(b): Appeal Procedures; Which states " An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to 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 \$500.00 dollars. The fee must be in the form of a cashier's check or a money order. Last day to file is June 29th, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-25**
Track **Ruidoso Downs**
Ruling Date: **6/20/2021**

Licensee: **MEDINA, ALEJANDRO**

License Type: **2020 3 Year Jockey** Applicant Id: **162971**
License Number: **297974**

Ruling # **2021-RUI-25**

Action Type: **Initial Ruling**

Ruling:

Jockey, Alejandro Medina, having been summoned and having appeared before the Board of Stewards on June 20, 2021, for careless riding during the running of the 10th race on June 18, 2021 at Ruidoso Downs Racetrack while aboard **"ISA SUPER FREAK"** who drifted in and took the lane of several other horses. He went from the eight hole to the second position. For this careless act the horse ISA SUPER FREAK was disqualified from third and placed eighth.

For this violation, the Board of Stewards assessed **Alejandro Medina** a fine in the amount of \$250.00 dollars. He has thirty (30) days to pay, July 20, 2021.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states 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 or a fine of the offending horse.

This ruling is written in accordance with:

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

15.2.5.13(E)(3)(d) NMAC: Post to Finish The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

15.2.5.13(E)(4)(a) NMAC Disqualification. When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states 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 a cashier's check, cash or money order."

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-26**
Track: **Ruidoso Downs**
Ruling Date: **6/20/2021**

Licensee: **BECERRA, JR SERGIO**

License Type: **2020 3 Year Jockey** Applicant Id: **32539**
License Number: **297672**

Ruling # **2021-RUI-26**

Action Type: **Initial Ruling**

Ruling:

Jockey **Sergio Becerra**, having been summoned and appeared before the Board of Stewards on **June 20, 2021**, for **excessive use of whip**, while aboard "**Beer Brat**" in the **8th Race June 18, 2021** at Ruidoso Downs Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Sergio Becerra**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **July 20, 2021** in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

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.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) NMAC Notice 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.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is June 30, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-27**
Track **Ruidoso Downs**
Ruling Date: **6/20/2021**

Licensee: **THEDFORD, TANNER TROY**
License Type: **2019 3 Year Jockey** Applicant Id: **20419**
License Number: **294953**

Ruling # 2021-RUI-27

Action Type: Initial Ruling

Ruling:

Jockey **Tanner Thedford**, having been summoned and appeared before the Board of Stewards on **June 20, 2021**, for **excessive use of whip**, while aboard "**Dupontontfire**" in the **7th Race June 18, 2021** at Ruidoso Downs Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Tanner Thedford**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **July 20, 2021** in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(E)(6)(A) Use of riding crops. Although the use of a riding crop is not required, any jockey who uses a riding crop during a race shall do so only in a manner consistent with exerting his or her best efforts to win.

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.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) NMAC Notice 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.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is June 30, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-RUI-28
Track Ruidoso Downs
Ruling Date: 6/25/2021

Licensee: ALVAREZ, RAMON ARIEL
License Type: 2020 3 Year Trainer Applicant Id: 35648
License Number: 299726

Ruling # 2021-RUI-28

Action Type: Initial Ruling

Ruling:

Trainer **Ramon Alvarez** having been duly notified and failed to appear so his hearing was held in absentia before the Board of Stewards on **June 25, 2021, at Ruidoso Downs Racetrack** concerning an **outstanding financial obligation to Mundell Terminal Services Inc. in the amount of \$6,178.75 for feed and alfalfa delivered.**

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to **Ramon Alvarez** be immediately suspended starting **June 25, 2021** and that **he** be deemed ineligible for any future licensing in New Mexico until such time that full payment is made to **Mundell Terminal Services Inc. in the amount of \$6,178.75 for feed and alfalfa delivered.**

Licensee is found in Violation of:

16.47.1.8 L (1)(J) NMAC: Grounds For Refusal, Denial, Suspension, or Revocation of License

16.47.1.8 (I): Financial Responsibility

This ruling in written in accordance with:

16.47.1.8 (L)(1)(i) – CONDUCT Which states "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"

15.2.1.9(B)(4)(d) Non appearance of a summoned party

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states 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 or money order ." The last day to appeal is July 5, 2021.

By Order of The Ruidoso Downs 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 #: **2021-SRP-29**
Track: SunRay Park
Ruling Date: 6/11/2021

Licensee: PAYAN, RUBEN

License Type: 2020 3 Year Trainer Applicant Id: 12276
License Number: 297386

Ruling # 2021-SRP-29

Action Type: Initial Ruling

Ruling:

Trainer: **Ruben Payan**, having been duly notified and appeared before the Board of Stewards **on June 5, 2021** regarding his hearing for failure to report to the **Downs of Albuquerque Test Barn Facility for out of competition testing on May 19, 2021 with the horse "Taking the Stage"** which was selected for out of competition testing.

After hearing testimony in this matter, the Board of Stewards access the following:

1. **Ruben Payan** was not properly notified in accordance with **15.2.6.9 J (8) OUT OF COMPETITION TESTING and no further action will be taken against Ruben Payan**
2. **The horse "Taking the Stage" is on the steward's list and must test negative in hair before entry, per 15.2.6.9.NMAC.**

This ruling is written in accordance with

15.2.6.9 J (7) (a) OUT OF COMPETITION TESTING/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 a cashier's check, or money order" **Last date for appeal: June 21, 2021.**

By Order of The SunRay Park Stewards