



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-DAA-1
Track Downs at Albuquerque
Ruling Date: 8/11/2021

Licensee: DUREE, DOMINIC CARL

License Type: 2019 3 Year Trainer Applicant Id: 25165
License Number: 293610

Ruling # 2021-DAA-1

Action Type: Initial Ruling

Ruling:

The Trainer's License (#293610) issued to Dominic Duree is hereby rescinded without prejudice, Dominic Duree is hereby issued an Assistant Starters License: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." Last day for appeal: 8/21/21

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-2**
Track Downs at Albuquerque
Ruling Date: 8/18/2021

Licensee: GARCIA, ALEX O

License Type: 2019 3 Year Owner Applicant Id: 161823
License Number: 293214



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-DAA-3
Track Downs at Albuquerque
Ruling Date: 8/18/2021

Licensee: LARUE, KENNETH MIKE

License Type: 2020 1 Year Paddock Ju Applicant Id: 16503
License Number: 299572

Ruling # 2021-DAA-3

Action Type: Initial Ruling

Ruling:

Horse Identifier/Paddock Judge: Kenneth Mike LaRue, having been duly notified, and waived his right to a 10-day notice and a hearing before the Board of Stewards on **August 18, 2021**, concerning failure to conduct his duties in the proper manner, in the paddock for the 2nd race on August 14, 2021, at the Downs at Albuquerque Racetrack.

Kenneth Mike LaRue is found in violation of:

15.2.3.8 (F) NMAC: Horse identifier:

(1) General authority: The horse identifier shall: when required, ensure the safekeeping of digital or paper registration certificates and racing permits for horses stabled or racing on association grounds; inspect documents of ownership, eligibility, registration or breeding necessary to ensure the proper identification of each horse scheduled to compete at a race meeting; **examine every starter in the paddock for sex, color, markings lip tattoo or microchip (ISO11784)**, freeze brand or other approved method of positive identification, for comparison with its registration certificate to verify the horse's identity; supervise the tattooing, micro chipping, freeze branding or other approved method of positive identification, for identification of any horse located on association grounds. Positive identification may include verification that the breed registration certificate has been submitted for correction or verification that the tattooing process has been initiated.

For this rule violation, the Board of Stewards assessed **Kenneth Mike LaRue** a penalty of a fine in the amount of \$1000.00 (One Thousand Dollars). This fine is to be paid on or before **September 18, 2021** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

This ruling is written in accordance with:

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

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: August 28, 2021

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-4**
Track: Downs at Albuquerque
Ruling Date: 8/20/2021

Licensee: CERECERES-HOLGUIN, HUGO
License Type: 2021 1 Year Owner Applicant Id: 157657
License Number: 300713

Ruling # 2021-DAA-4

Action Type: Initial Ruling

Ruling:

Owner: **Hugo Cereceres-Holguin** having waived his right to a ten-day notice and formal hearing on **August 20, 2021** concerning a security citation for having a non-licensed person in a restricted area, at the Downs at Albuquerque on August 18, 2021, is found in violation of Commission rules.

16.47.1.8.(R) NMAC: License presentation:

(1) A person must present an appropriate license or other authorization issued by the commission to enter a restricted area. The commission may issue authorization to the spouse or child of a licensed owner, trainer or jockey to enter a restricted area.

For this rule violation, the Board of Stewards assessed **Hugo Cereceres-Holguin** a penalty in the amount of **One Hundred Dollars (\$100.00)**. This fine is to be paid on or before **September 20, 2021** 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.

This ruling is written in accordance with:

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 (R) 1 and 3 License presentation

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: August 30, 2021

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-DAA-5
Track Downs at Albuquerque
Ruling Date: 8/21/2021

Licensee: EVANS, JUSTIN ROBERT

License Type: 2019 3 Year Trainer Applicant Id: 30562
License Number: 293867

Ruling # 2021-DAA-5

Action Type: Initial Ruling

Ruling:

Trainer/Owner: Justin R. Evans having been duly notified and appeared before the Board Of Stewards on August 20, 2021, waived his right to a 10 day notice and a hearing regarding the running of two horses which were switched in the paddock in the 2nd race on August 14, 2021 at the Downs at Albuquerque.

The horse "Extremely Wicked" program #9 carried saddle cloth #6 and broke from the 6 hole.

The horse "Square Root" program #6 carried saddle cloth #9 and broke from the 9 hole.

The horse "Extremely Wicked" is also owned by Michael Cimino.

The horse "Square Root" is also owned by Stan Munro.

Justin R. Evans is in violation of 16.47.1.10 C (5) NMAC: Proper identity of horses in their charge and 16.47.1.10 C (23) "personally attending to their horses in the paddock and supervising the saddling thereof.

For Trainer Justin R. Evans, the Board of Stewards assessed a penalty as follows:

1. A suspension of 15 days from August 26, 2021, thru September 9, 2021. During said time of applicable suspension Justin R. Evans 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 of** Justin R. Evans 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 by, owned by, or in the care and custody of** Justin R. Evans must be done in accordance with 15.2.6.9 A (12) NMAC: Procedures shall be established to ensure that a licensed trainer is not able to benefit financially during the period for which the individual has been suspended.

2. A \$5,000.00 (Five Thousand Dollar) Fine to be paid on or before September 21, 2021, in accordance with 15.2.3.8 (B)(3)(k). Failure to pay the fine in the prescribed time shall result in an immediate suspension.

3. For Owner Justin R. Evans, The horses "Extremely Wicked" and "Square Root" are hereby disqualified from 1st and 3rd place and ordered unplaced from the 2nd race on August 14, 2021, at The Downs at Albuquerque Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

- 1) Time to Rumble
 - 2) Greenbrier
 - 3) Destiny One
 - 4) Abetemarco
 - 5) Remember the Bull
 - 6) Cebolla
 - 7) Ministertomyheart
- Unplaced "Extremely Wicked" and "Square Root"

Licensee is found in violation of and this ruling is written in accordance with: 16.47.1.10 B Absolute Insurer, 16.47.1.10 C (5) The proper identity of horses in their care. 15.2.5.13 E (4) (d) Disqualification and purse distribution. 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.10(B)(1)(2)(3)Absolute Insurer/ 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 day for appeal: August 31, 2021



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-6**
Track: Downs at Albuquerque
Ruling Date: 8/24/2021

Licensee: TRUJILLO, JULIE A

License Type: 2021 1 Year Jockey Ag Applicant Id: 24693
License Number: 300445

Ruling # 2021-DAA-6

Action Type: Initial Ruling

Ruling:

Jockey Agent: Julie Trujillo waived her right to a 10 day notice and a hearing before Board of Stewards on August 21, 2021, for failure to conduct business in a proper manner.

For this violation, the Board of Stewards assess Julie Trujillo a fine in the amount of One Hundred Dollars (\$100.00). The fine is to be paid on or before September 25, 2021, 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:

16.47.1.13 (C) JOCKEY AGENT RESPONSIBILITY All persons permitted to make riding engagements shall maintain current and accurate records of all engagements made, such records being subject to examination by the stewards at any time.

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.

15.2.3.8 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, cashier's check, or money order."

Last date for appeal: September 4, 2021.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-7**
Track: Downs at Albuquerque
Ruling Date: 8/27/2021

Licensee: **PACHECO, JOHNNY L**

License Type: 2019 3 Year Trainer Applicant Id: 18738
License Number: 295322

Ruling # 2021-DAA-7

Action Type: Initial Ruling

Ruling:

Trainer: **Johnny Pacheco**, having been duly notified, and waived his right to a ten day notice of hearing before the Board of Stewards on **August 27, 2021**, for failure to follow facility rules by not being at the receiving barn at the designated time **at the Albuquerque Downs Racetrack.**

For this rule violation, the Board of Stewards assess Johnny Pacheco a penalty in the amount of **One Hundred Dollars (\$100.00).** The fine is to be paid on or before **September 27, 2021** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

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

15.2.6.11.A Trainers Responsibility:

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.

Last date for appeal: September 6, 2021.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DDA-8**
Track: Downs at Albuquerque
Ruling Date: 8/27/2021

Licensee: MARISCAL, JESUS ARMANDO
License Type: 2020 1 Year Groom Applicant Id: 29628
License Number: 299163

Ruling # 2021-DDA-8

Action Type: Initial Ruling

Ruling:

The Groom's License #299163 issued to **Jesus Armando Mariscal** is hereby **rescinded without prejudice** as he is no longer employed in that position.

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, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-DAA-9
Track Downs at Albuquerque
Ruling Date: 8/28/2021

Licensee: VEGA, RAUL

License Type: 2019 3 Year Trainer Applicant Id: 9954
License Number: 295432

Ruling # 2021-DAA-9

Action Type: Initial Ruling

Ruling:

Trainer Raul Vega having been duly notified and waived his right to a ten(10) day notice of hearing before the Board of Stewards on **August 28, 2021,** for failure to have his flipping halter on **"Mr Easy"** entered in **the 2nd race on August 27, 2021, at The Downs at Albuquerque Racetrack.**

The Board of Stewards hereby assesses **Raul Vega** a fine in the amount of **one hundred dollars (\$ 100.00).** The fine is to paid on or before **September 28, 2021,** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.8 (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

15.2.6.11(E)(10)Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment and shoes.

This ruling is written in accordance with:

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 Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-DAA-10
Track Downs at Albuquerque
Ruling Date: 8/28/2021

Licensee: LEYBA, SR RUBEN G

License Type: 2020 3 Year Trainer Applicant Id: 28513
License Number: 299435

Ruling # 2021-DAA-10

Action Type: Initial Ruling

Ruling:

Trainer Ruben Leyba Sr. having been duly notified and waived his right to a ten(10) day notice of hearing before the Board of Stewards on **August 28, 2021,** for failure to have his flipping halter on **"Eb Hardwood"** entered in **the 7th race on August 27, 2021, at The Downs at Albuquerque Racetrack.**

The Board of Stewards hereby assesses **Ruben Leyba Sr.** a fine in the amount of **one hundred dollars (\$100.00).** The fine is to be paid on or before **September 28, 2021,** in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.8 (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

15.2.6.11(E)(10) Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment and shoes.

This ruling is written in accordance with:

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 Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-DAA-11
Track Downs at Albuquerque
Ruling Date: 8/29/2021

Licensee: MARQUEZ, ANGEL EMMANUEL

License Type: 2020 1 Year Jockey Applicant Id: 159532
License Number: 300238

Ruling # 2021-DAA-11

Action Type: Initial Ruling

Ruling:

Jockey, Angel Emmanuel Marquez, having been summoned and having appeared before the Board of Stewards on August 28, 2021, for careless riding during the running of the 2nd race on August 27, 2021 at The Downs at Albuquerque while aboard "RZ Richy". (Drifted out and bothering multiple horses)

For this violation, the Board of Stewards has suspended Angel Emmanuel Marquez for 5 race days, 9/5, 9/8, 9/9/ 9/10 and 9/11/2021. Angel Emmanuel Marquez will be permitted to ride in designated race during the period of suspension.

Licensee is found in violation of:

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)(a) NMAC: Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

This ruling is written in accordance with:

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

15.2.3.8 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." The last day to file an appeal is September 7, 2021.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-12**
Track: Downs at Albuquerque
Ruling Date: 9/1/2021

Licensee: TAFOYA, IVAN PAUL

License Type: 2020 3 Year Trainer Applicant Id: 16619
License Number: 297833

Ruling # 2021-DAA-12

Action Type: Initial Ruling

Ruling:

Trainer: **Ivan P. Tafoya**, having been duly notified and appeared before the Board Of Stewards on August 29, 2021 waived his right to a 10-day notice and a hearing, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, **Stanozolol** (class 3 penalty B drug) found in test sample **E464225** taken from the **1st place finisher "A Relentless Lady"** following the **3rd race, on August 15, 2021 at the Downs at Albuquerque Race Track.**

The original lab report indicated a finding of **Stanozolol** in the urine (**15.2.6.9 Attachment 2**).

Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to the trainer, and declined.

Daniel Apodaca is the owner of record for the horse "**A Relentless Lady**"

Aggravating Factor: Potential of the drug to influence a horse's performance.

For **Ivan P. Tafoya's 1st Class 3B medication violation in a 365-day period**, the Board of Stewards hereby assesses a penalty issued in accordance with **15.2.6.9 (B)(2) Penalty Recommendations**, as follows:

1. **A 15-day suspension of all NMRC licenses starting September 6, 2021, through September 20, 2021 inclusive.**
2. **A (\$500.00) Five Hundred Dollar fine to be paid on or before October 1, 2021 in accordance with 15.2.3.8 (B)(3)(I). Failure to pay fine in prescribed time will result in immediate suspension.**
3. **In addition, Ivan P. Tafoya has accumulated "0" points prior to this ruling and "4" points in connection with this ruling for a current total of "4", under the multiple medication violation point system.**

During said time of applicable suspension **Ivan P. Tafoya** 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 of Ivan P. Tafoya** 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 by, owned by, or in the care and custody of **Ivan P. Tafoya** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances**.

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)(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 day for appeal: September 11, 2021.**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-13**
Track: Downs at Albuquerque
Ruling Date: 9/1/2021

Licensee: VALLES, ALBERT A.

License Type: 2020 1 Year Trainer Applicant Id: 28442
License Number: 300226

Ruling # 2021-DAA-13

Action Type: Initial Ruling

Ruling:

Trainer: **Albert A. Valles**, having been duly notified, waived his right to a 10-day notice and a hearing before the Board Of Stewards on August 29, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, **Phenylbutazone** (class 4 penalty C drug) found in test sample **E464224** taken from the **1st place finisher "Alamo Lake"** following the **2nd race, on August 15, 2021, at the Downs at Albuquerque Race Track.**

The original lab report indicated a finding of **Phenylbutazone at 1.51 ug/ml +/- 05 ug/ml in the blood.** The threshold limit for **Phenylbutazone** is 0.3ug/ml in the blood **(15.2.6.9 Attachment 2).**

Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to the trainer, and declined.

Empire Racing (Mario Perea--Cardona) is the owner of record for the horse "**Alamo Lake**"

This is **Albert Valles's first Class 4C 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 (\$1000.00) One Thousand dollar fine to paid on or before **October 2, 2021**, in accordance with **15.2.3.8 (B)(3)(I) NMAC**. Failure to pay fine in prescribed time will result in an immediate suspension.
2. In addition, Albert Valles has accumulated "0" points prior to this ruling and "0.5" points in connection with this ruling for a current total of "0.5", under the multiple medication violation point system.

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

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 a money order, or a cashier's check. **Last date for appeal: September 11, 2021.**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-14**
Track: Downs at Albuquerque
Ruling Date: 9/1/2021

Licensee: **BACA, BERNARD B**
License Type: **2020 3 Year Trainer** Applicant Id: **27036**
License Number: **299104**

Ruling # 2021-DAA-14

Action Type: Initial Ruling

Ruling:

Trainer: Bernard Baca, having been duly notified, waived his right to a 10-day notice and a hearing before the Board Of Stewards on August 29, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Phenylbutazone (class 4 penalty C drug) found in test sample E464221 taken from the 1st place finisher "Cleared Furr Takeoff" following the 1st race, on August 15, 2021, at the Downs at Albuquerque Race Track.

The original lab report indicated a finding of Phenylbutazone at 0.64 ug/ml +/- 05 ug/ml in the blood. The threshold limit for Phenylbutazone is 0.3ug/ml in the blood (15.2.6.9 Attachment 2).

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to the trainer, and declined.

Richard Joneson is the owner of record for the horse "Cleared Furr Takeoff."

This is Bernard Baca's first Class 4C 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 (\$500.00) Five Hundred dollar fine to paid on or before October 2, 2020, in accordance with 15.2.3.8 (B) (3)(I) NMAC. Failure to pay fine in prescribed time will result in an immediate suspension.

2. In addition, Bernard Baca has accumulated "0" points prior to this ruling and "0.5" points in connection with this ruling for a current total of "0.5", under the multiple medication violation point system.

3. The board of stewards found mitigating factors beneficial to Bernard Baca in that he had never had a previous ruling for any type of medication during his lengthy training career and considered this in setting the penalty.

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

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 a money order, or a cashier's check. Last date for appeal: September 11, 2021.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-15**
Track: Downs at Albuquerque
Ruling Date: 9/1/2021

Licensee: VILLALOBOS, MIGUEL A.

License Type: Applicant Id: 16883
License Number:

Ruling # 2021-DAA-15

Action Type: Initial Ruling

Ruling:

Trainer Miguel Villalobos (16883) having been duly notified and waived his right to a ten(10) day notice of hearing before the Board of Stewards on August 29, 2021, for failure have his entry, Athenas Storm in the paddock at the designated time for the 8th race on August 25, 2021 At the Downs Of Albuquerque.

For this rule violation, the Board of Stewards assessed a penalty in the amount of two hundred dollars (\$200.00) to Mr Villalobos. The fine is to be paid on or before October 2, 2021, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

16.47.1.10 (C) (22) presenting his/her horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;

This ruling is written in accordance with:

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, money order or personal check."

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-16**
Track: **Downs at Albuquerque**
Ruling Date: **9/3/2021**

Licensee: **APODACA, DANIEL**

License Type: **2021 3 Year Owner** Applicant Id: **35633**
License Number: **302079**

Ruling # 2021-DAA-16

Action Type: Initial Ruling

Ruling:

Owner: Daniel Apodaca, having been duly notified and waived his right to a 10 day notice and a disciplinary hearing, was represented by his trainer Ivan Tafoya who appeared before the Board Of Stewards on August 29, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Stanazolol (class 3-B penalty) found in test sample E464225 taken from the 1st place finisher "A Relentless Lady" following the 3rd race, on August 15, 2021 at The Downs of Albuquerque Racetrack.

The affidavit lab report indicated a finding of Stanazolol in the blood, which exceeds the allowable limit in the blood.

(15.2.6.9 (B)(3)).

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to the trainer and declined.

Ivan Tafoya is the trainer of record for horse "A Relentless Lady"

For Daniel Apodaca's FIRST Class 3-B medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(3), the Board of Stewards assessed a penalty as follows:

The horse "A Relentless Lady" is hereby disqualified from first place and ordered unplaced from the 3rd race on August 15, 2021 at The Downs of Albuquerque Racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows:

- | | |
|------------------------|------------------------|
| 1. Tahiti Hocks | |
| 2. Dasha Girl | 7. Pack My Patience |
| 3. Brickfielder Pz | 8. Tac It Clear Winn |
| 4. El Pequitoseffort | 9. Master Jewel Cartel |
| 5. Chicks By the Creek | |
| 6. Investment Man | |

Unplaced: "A Relentless Lady"

The horse "A Relentless Lady" 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)(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: September 8, 2021

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-17**
Track: Downs at Albuquerque
Ruling Date: 9/3/2021

Licensee: PEREA-CARDONA, MARIO

License Type: 2019 3 Year Owner Applicant Id: 30999
License Number: 296591

Ruling # 2021-DAA-17

Action Type: Initial Ruling

Ruling:

Owner: Mario Perea Cardona, Empire Racing, having been duly notified and waived his right to a 10 day notice and a disciplinary hearing, was represented by his trainer Albert Valles who appeared before the Board Of Stewards on August 29, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Phenylbutazone (class 4-C penalty) found in test sample E464224 taken from the 1st place finisher "Alamo Lake" following the 2nd race, on August 15, 2021 at The Downs of Albuquerque Racetrack

The affidavit lab report indicated a finding of Phenylbutazone at 1.51 ug/ml in the blood, which exceeds the allowable limit in the blood. (15.2.6.9 (B)(3).

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to the trainer and declined.

Albert Valles is the trainer of record for horse "Alamo Lake"

For Mario Perea Cardona-Empire Racing's FIRST Class 4C medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(3), the Board of Stewards assessed a penalty as follows:

The horse "Alamo Lake" is hereby disqualified from first place and ordered unplaced from the 2nd race on the August 15, 2021 at The Downs of Albuquerque Racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows:

- | | |
|------------------------|-------------------------|
| 1. Jayten Famous Arrow | 5. Parliamentary Spirit |
| 2. Lota Dazzling Eagle | 6. Dashing Chapo |
| 3. Shes So Peaceful | 7. El Llantero |
| 4. Shez Eagle | 8. Five Bucks |

Unplaced: "Alamo Lake"

The horse "Alamo Lake" 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)(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: September 8, 2021



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-18**
Track: Downs at Albuquerque
Ruling Date: 9/3/2021

Licensee: JONESON, RICHARD H

License Type: 2019 3 Year Owner Applicant Id: 13714
License Number: 296393

Ruling # 2021-DAA-18

Action Type: Initial Ruling

Ruling:

Owner: Richard Joneson, having been duly notified and waived his right to a 10 day notice and a disciplinary hearing, was represented by his trainer Bernard Baca who appeared before the Board Of Stewards on August 29, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Phenylbutazone (class 4-C penalty) found in test sample E464211 taken from the 1st place finisher "Cleared Furr Takeoff" following the 1st race, on August 15, 2021 at The Downs of Albuquerque Racetrack

The affidavit lab report indicated a finding of Phenylbutazone at .64 ug/ml in the blood, which exceeds the allowable limit in the blood. (15.2.6.9 (B)(3).

Split sample rights as provided in 15.2.6.10 (D) NMRC, were afforded to the trainer and declined.

Bernard Baca is the trainer of record for horse the "Cleared Furr Takeoff."

For Richard Joneson's FIRST Class 4C medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(3), the Board of Stewards assessed a penalty as follows:

The horse "Cleared Furr Takeoff" is hereby disqualified from first place and ordered unplaced from the 1st race on August 15, 2021 at The Downs of Albuquerque Racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows:

- | | |
|------------------|-------------------|
| 1. Dream Artist | 5. Motown Mama |
| 2. Jets Movin On | 6. Rowdy Mambo |
| 3. Gusher | 7. Corona de Vado |
| 4. Quick to Fuss | |

Unplaced: "Cleared Furr Takeoff"

The horse "Cleared Furr Takeoff" 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 NMRC 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) NMRC

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: September 8, 2021



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-19**
Track **Downs at Albuquerque**
Ruling Date: **9/5/2021**

Licensee: **TOLEDO, JESUS JOSE**

License Type: **2020 3 Year Owner** Applicant Id: **23463**
License Number: **298610**

Ruling # **2021-DAA-19**

Action Type: **Initial Ruling**

Ruling:

Owner: Jesus Toledo is hereby summarily suspended, effective immediately September 4, 2021, pending the outcome of his summary suspension hearing scheduled on September 12, 2021 at 9:30 A.M. in the offices of the Board of Stewards at the Downs at Albuquerque Racetrack (145 Louisiana Blvd, NE Albuquerque NM 87108) per 15.2.1.9 (B)(3)(b) (Summary Suspension) regarding Jesus Toledo being under suspicion of using drugs and refusing to be drug tested and having an unlicensed female in a secured area of the Downs at Albuquerque on September 4, 2021. During said time of applicable suspension, Jesus Toledo 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 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. 15.2.1.9(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 **15.2.6.8 (B)(3) TREATMENT RESTRICTIONS:** No person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the commission, or a veterinary assistant licensed by the commission acting under the direct supervision of a licensed veterinarian, shall possess on any location under the jurisdiction of the commission any of the following unless approved by the commission (a) any drug which is a narcotic, stimulant, or depressant, or any other substance or medication that has been prepared or packaged for injection by a hypodermic syringe, or hypodermic needle **15.2.6.9(H)(1) Medical Labeling** No person on association grounds where horses are lodged or kept, excluding veterinarians licensed by the commission, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effect or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection **15.2.6.9(K)(1) Contraband** No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in that person's care, custody or control, a drug, medication, chemical, foreign substance or 15.2.6 NMAC 12 other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with Subsection H of 15.2.6.9 NMAC. This restriction includes, but is not limited to, locations on the association grounds where that person occupies, in that person's personal property, effects or vehicle . 16.47.1.18 (B) ASSESSMENT/TREATMENT REQUIREMENTS GENERAL FIRST-TIME OFFENDERS 16.47.1.17 (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 (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 15.2.2.8(V)(1) EJECTION AND EXCLUSION An association shall immediately eject from the association grounds a person who is subject to such an exclusion order of the commission or stewards and notify the commission of the ejection.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-20**
Track: Downs at Albuquerque
Ruling Date: 9/5/2021

Licensee: ACOSTA, JR CARLOS H.

License Type: 2021 3 Year Trainer Applicant Id: 19413
License Number: 300476

Ruling # 2021-DAA-20

Action Type: Initial Ruling

Ruling:

Trainer: Carlos Acosta, having been duly notified and having waived his right to a hearing before the Board of Stewards on **September 4, 2021**, for failure to declare equipment (**Flipping Halter Off**) at time of entry for **"Outta Debt"**, entered in **the 9th race on August 21, 2021, at The Downs of Albuquerque.**

The Board of Stewards hereby assesses **Carlos Acosta** a fine in the amount of **\$(100.00) One Hundred Dollars.** The fine is to be paid on or before **October 4, 2021**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to be paid the fine within the time prescribed will result in immediate suspension.

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.

15.2.1.8(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." **Last date for appeal: September 15, 2021**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-21**
Track: Downs at Albuquerque
Ruling Date: 9/6/2021

Licensee: ALDAVAZ, SR JAIME G.

License Type: 2019 3 Year Trainer Applicant Id: 19631
License Number: 294047

Ruling # 2021-DAA-21

Action Type: Initial Ruling

Ruling:

Trainer: Jaime Aldavaz Sr. was duly notified and waived his right to ten-day notice and his disciplinary hearing before the Board of Stewards on September 5, 2021, regarding a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC). The certificate of analysis was for a confirmed positive for the therapeutic drug, Isoxsuprine (class 4 penalty category D drug) found in test sample E464227 taken from the 1st place finisher "Don Chuy C" following the 5th race, on August 15, 2021, at the Downs at Albuquerque Racetrack.

The certificate of analysis indicated a finding of Isoxsuprine in the blood.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer.

For Jaime Aldavaz Sr.'s FIRST Class 4 (D) medication violation in a 365-day period, the Board of Stewards hereby issues the following:

1. A warning letter, per 15.2.6.9(A)(6)
2. There is no change to the official order of finish in the 5th race on August 15, 2021 at the Downs at Albuquerque Racetrack.
3. **In addition, Jaime Aldavaz Sr. has accumulated "0" points prior to this ruling and "1" point in connection with this ruling for a current total of "1", under the multiple medication violation point system.**

Licensee is found to be in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f) Stewards/ 15.2.6.9(C)(1)Medication Restrictions/ 15.2.6.9(B)Penalty Recommendations 15.2.6.9(C)(1-2-3) Prima Facie Evidence/15.2.6.9 (C)(3) PENALTY RECOMMENDATIONS 15.2.6.9 A (4)UNIFORM CLASSIFICATION GUIDELINES - /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. **Last Date for appeal: September 16, 2021.**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-22**
Track: Downs at Albuquerque
Ruling Date: 9/6/2021

Licensee: CARRASCO, JESUS TORREZ

License Type: Applicant Id: 157568
License Number:

Ruling # 2021-DAA-22

Action Type: Initial Ruling

Ruling:

Owner: Jesus T, Carrasco was duly notified and waived his right to ten-day notice and his disciplinary hearing before the Board of Stewards on September 5, 2021, regarding a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC). The certificate of analysis was for a confirmed positive for the therapeutic drug, Isoxsuprine (class 4 penalty category D drug) found in test sample E464227 taken from the 1st place finisher "Don Chuy C" following the 5th race, on August 15, 2021, at the Downs at Albuquerque Racetrack.

The certificate of analysis indicated a finding of Isoxsuprine in the blood.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by the trainer.

Jaime Aldavaz Sr. is the trainer of "Don Chuy C".

For Jesus T, Carrasco's FIRST Class 4 (D) medication violation in a 365-day period, the Board of Stewards hereby issues the following:

1. A warning letter, per 15.2.6.9(A)(6)
2. There is no change to the official order of finish in the 5th race on August 15, 2021 at the Downs at Albuquerque Racetrack.

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

15.2.6.9(C)(1) : Prima Facie Evidence /16.47.1.8 (U)(1) PROTECTION OF HORSES

15.2.6.9(B)(4) PENALTY RECOMMENDATIONS 15.2.6.11(A): 15.2.3.8 B(1) (3)(a)(f)(g)(j) Stewards Disciplinary Action/16.47.1.8 (T) KNOWLEDGE OF RULES Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for purpose of the purse distribution and trial qualification."

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 or money order. **Last date for appeal: September 16, 2021**

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-23**
Track: Downs at Albuquerque
Ruling Date: 9/13/2021

Licensee: DOUGLAS, NATALIE KAY

License Type: Applicant Id: 15306
License Number:

Ruling # 2021-DAA-23

Action Type: Initial Ruling

Ruling:

Trainer: Natalie Douglas having been duly notified, waived her right to a hearing before the Board of Stewards on September 9, 2021, for failure to appear in paddock with entry "Hottie By Sixes", which resulted in a late scratch and pari-mutuel refund in the 2nd race on September 8, 2020 at The Downs at Albuquerque Race Track.

For this rule violation, the Board of Stewards assessed Natalie Douglas a penalty in the amount of Two Hundred Dollars (\$200.00). The fine is to be paid on or before October 11, 2021, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

Licensee is found in violation of .

16.47.1.10 (C) (22) TRAINER RESPONSIBILITY presenting his/her horse in the paddock at least 20 minutes before post time or at a time otherwise appointed before the race in which the horse is entered;
15.2.4.8(C)(1) Claiming Races Any horse entered in a claiming race that is not present in the paddock at least 10 minutes to post will be scratched.

This ruling is written in accordance with:

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, money order or personal check."

Last day for appeal: September 21, 2021.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-24**
Track Downs at Albuquerque
Ruling Date: 9/6/2021

Licensee: CHAVEZ, JOSE

License Type: Applicant Id: 15047
License Number:

Ruling # 2021-DAA-24

Action Type: Initial Ruling

Ruling:

Trainer: Jose Chavez having been duly notified and having appeared before the Board of Stewards on September 6, 2021, for failing to have registration papers on file for entry Chicks Tale All, which resulted in a late scratch and mutuel refund in the 5th race on September 5, 2021 at the Downs at Albuquerque.

For this violation, the Board of Stewards assessed Jose Chavez a fine in the amount of Two Hundred Fifty Dollars (\$250.00). The fine is to be paid on or before October 11, 2021, 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.

15.2.5.12(B) NMAC: Which states in pertinent part "A horse shall be ineligible to start in a race when its breed registration certificate is not on file with the racing secretary".

This ruling is written in accordance with

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 September 21, 2021.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-25**
Track: Downs at Albuquerque
Ruling Date: 9/13/2021

Licensee: CAPPELLUCCI, DICK

License Type: Applicant Id: 15418
License Number:

Ruling # 2021-DAA-25

Action Type: Initial Ruling

Ruling:

Trainer: Dick Cappelluci having been duly notified, and waived his right to a hearing before the Board of Stewards on September 6, 2021, for failing to have a current Coggins for entry "Stormin L D" which resulted in a late scratch and pari-mutuel refund in the 8th race on September 5, 2021 at Albuquerque Downs Race Track.

For this violation, the Board of Stewards assessed Dick Cappelluci a fine in the amount of Two Hundred Fifty Dollars (\$250.00). The fine is to be paid on or before October 11, 2021, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension
Licensee is found to be in violation of.

15.2.5.12(Z) Horse ineligible A horse shall be ineligible to start when "there is no current negative test certificate for equine infectious anemia on file with the racing office, as required by the commission".

16.47.1.10(C)(5) Trainer Responsibility The trainer is responsible for the proper identity, custody, care, health, condition, and safety of horses in their charge.

16.47.1.10(C)(15) Trainer Responsibility The trainer is responsible for maintaining a knowledge of the medication record and status of all horses in their care.

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.

This ruling is written in accordance with

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." Last date for appeal: September 21, 2021



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-26**
Track: Downs at Albuquerque
Ruling Date: 9/6/2021

Licensee: CHAVEZ, LARRY CLIFFORD

License Type: Applicant Id: 15666
License Number:

Ruling # 2021-DAA-26

Action Type: Initial Ruling

Ruling:

Trainer: Larry Chavez having been duly notified, and waived his right to a hearing before the Board of Stewards on September 6, 2021, for failing to have a current Coggins for entry "Final Thoughts" which resulted in a late scratch and pari-mutuel refund in the 3rd race on September 5, 2021 at Albuquerque Downs Race Track.

For this violation, the Board of Stewards assessed Larry Chavez a fine in the amount of Two Hundred Fifty Dollars (\$250.00). The fine is to be paid on or before October 11, 2021, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension. Licensee is found to be in violation of.

15.2.5.12(Z) Horse ineligible A horse shall be ineligible to start when "there is no current negative test certificate for equine infectious anemia on file with the racing office, as required by the commission".

16.47.1.10(C)(5) Trainer Responsibility The trainer is responsible for the proper identity, custody, care, health, condition, and safety of horses in their charge.

16.47.1.10(C)(15) Trainer Responsibility The trainer is responsible for maintaining a knowledge of the medication record and status of all horses in their care.

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.

This ruling is written in accordance with

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." Last date for appeal: September 20, 2021

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-27**
Track: Downs at Albuquerque
Ruling Date: 9/13/2021

Licensee: HOLMES, JENNIFER R

License Type: Applicant Id: 136948
License Number:

Ruling # 2021-DAA-27

Action Type: Initial Ruling

Ruling:

Trainer Jennifer Holmes having been duly notified and appeared before the Board of Stewards on September 10, 2021, for entering horse "JEDI JENNIE" in the wrong race which resulted in a scratch from the 8th race September 9, 2021 at The Downs of Albuquerque.

For this violation, the Board of Stewards assessed Jennifer Holmes a fine in the amount of one hundred dollars (\$100.00). The fine is to be paid on or before October 10, 2021 in accordance with 15.2.3.8 (B)(3)(1) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension

Licensee is found to be in violation of:

15.2.5.12 (V) HORSES INELIGIBLE: A horse shall be ineligible to start in a race when it does not meet the eligibility conditions of the race.

15.2.5.8 (B)(7) PROCEDURE FOR ENTERING The person making an entry shall clearly designate the horse so entered.

16.47.1.10(C)(17) TRAINER RESPONSIBILITY: The trainer is responsible for representing an owner in making entries and scratches and in all other matters pertaining to racing; horses entered as to eligibility and weight or other allowances claimed.

16.47.1.10(C)(18) TRAINER RESPONSIBILITY: The trainer is responsible for horses entered as to eligibility and weight or other allowances claimed.

This ruling is written in accordance with:

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: September 20, 2021



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-28**
Track: Downs at Albuquerque
Ruling Date: 9/15/2021

Licensee: ALDAVAZ, SR JAIME G.

License Type: Applicant Id: 19631
License Number:

Ruling # 2021-DAA-28

Action Type: Initial Ruling

Ruling:

Trainer: Jaime Aldavaz Sr. having been duly notified, and waived his right to a hearing before the Board of Stewards on September 6, 2021, for failing to have a current Coggins for entry "Marcus Medallion" which resulted in a late scratch from the paddock and pari-mutuel refund in the 6th race on September 5, 2021 at Albuquerque Downs Race Track.

For this violation, the Board of Stewards assessed Jaime Aldavaz Sr. a fine in the amount of Five Hundred Dollars (\$500.00). The fine is to be paid on or before October 11, 2021, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

Licensee is found to be in violation of.

15.2.5.12(Z) Horse ineligible A horse shall be ineligible to start when "there is no current negative test certificate for equine infectious anemia on file with the racing office, as required by the commission".

16.47.1.10(C)(5) Trainer Responsibility The trainer is responsible for the proper identity, custody, care, health, condition, and safety of horses in their charge.

16.47.1.10(C)(15) Trainer Responsibility The trainer is responsible for maintaining a knowledge of the medication record and status of all horses in their care.

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.

This ruling is written in accordance with

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." Last date for appeal: September 20, 2021

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-29**
Track Downs at Albuquerque
Ruling Date: 9/15/2021

Licensee: ESCOBAR, VICTOR

License Type: 2021 1 Year Jockey Ag Applicant Id: 25459
License Number: 301839

Ruling # 2021-DAA-29

Action Type: Initial Ruling

Ruling:

The Jockey Agent license issued to Victor Escobar is hereby rescinded without prejudice as he is no longer working in this licensing capacity. His trainers license has been re-issued.

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

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-30**
Track: Downs at Albuquerque
Ruling Date: 9/17/2021

Licensee: MEDELLIN, ALEJANDRO HERRERA

License Type: Applicant Id: 31173
License Number:

Ruling # 2021-DAA-30

Action Type: Initial Ruling

Ruling:

Jockey: Alejandro Medellin, having appeared before the Board of Stewards on September 13, 2021, for excessive use of whip, while aboard "Miss Louisiana Belle" in the 3rd Race September 12, 2021 at The Downs at Albuquerque Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, Alejandro Medellin, a fine in the amount of Two Hundred Fifty Dollars, (\$250.00). This fine is to be paid on or before October 13, 2021 in accordance with 15.2.3.8 (B) (3)(l). Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of and 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)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 September 22, 2021

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-31**
Track: Downs at Albuquerque
Ruling Date: 9/14/2021

Licensee: **LAVANWAY, DAYSON**

License Type: **Applicant Id: 158653**
License Number:

Ruling # 2021-DAA-31

Action Type: Initial Ruling

Ruling:

Trainer: **Dayson Lavanway**, having been duly notified, requested a formal hearing before the **Board Of Stewards on September 14, 2021 regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC)**, for a confirmed positive for the drug, **Phenylbutazone** (class 4 penalty C drug) found in test sample **E397659** taken from the **3rd place finisher "Brickbat"** following the **3rd race, on August 14, 2021, at the Downs at Albuquerque Race Track.**

The original lab report indicated a finding of **Phenylbutazone at 0.49 ug/ml +/- 05 ug/ml in the blood.** The threshold limit for **Phenylbutazone** is 0.3ug/ml in the blood **(15.2.6.9 Attachment 2).**

Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to the trainer, and declined.

Maria T. Gonzalez Delgadillo is the owner of record for the horse **"Brickbat"**

This is **Dayson Lavanway's second Class 4C 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 (\$1,500.00) One Thousand Five Hundred dollar fine to be paid on or before **October 15, 2021**, in accordance with **15.2.3.8 (B)(3)(I) NMAC**. Failure to pay fine in prescribed time will result in an immediate suspension.
2. A Fifteen day suspension beginning September 20, 2021 thru October 4, 2021.
3. In addition, Dayson Lavanway has accumulated "0" points prior to this ruling and "0.5" points in connection with this ruling for a current total of "0.5", under the multiple medication violation point system.

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

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 a money order, or a cashier's check. Last date for appeal: September 24, 2021.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-32**
Track: Downs at Albuquerque
Ruling Date: 9/17/2021

Licensee: ENRIQUEZ-NAVARRO, JACOBO ABRAHAM
License Type: Applicant Id: 163276
License Number:

Ruling # 2021-DAA-32

Action Type: Initial Ruling

Ruling:

Jockey, Jacobo Enriquez-Navarro having been summoned and having appeared before the Board of Stewards, on September 13, 2021, for not reporting his weight at the designated time on September 10, 2021 at the Albuquerque Downs Racetrack.

The Board of Stewards hereby assesses Jacobo Enriquez-Navarro a penalty in the amount of two hundred dollars (\$200.00). The fine is to be paid on or before October 17, 2021 in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13(C)(1) Which states in pertinent part that "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."

This ruling is written in accordance with:

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 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: September 22, 2021.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-33**
Track: Downs at Albuquerque
Ruling Date: 9/17/2021

Licensee: GONZALEZ-DELGADILLO, MARIA TRINIDAD

License Type: Applicant Id: 158654
License Number:

Ruling # 2021-DAA-33

Action Type: Initial Ruling

Ruling:

Owner: Maria T. Gonzalez Delgadillo, having been duly notified and waived her right to a 10 day notice and a disciplinary hearing, was represented by herself and trainer Dayson Lavanway who appeared before the Board Of Stewards on September 14, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Phenylbutazone (class 4-C penalty) found in test sample E397659 taken from the 3rd place finisher "Brickbat" following the 3rd race, on August 14, 2021 at The Downs of Albuquerque Racetrack. The affidavit lab report indicated a finding of Phenylbutazone at 0.49 ug/ml in the blood, which exceeds the allowable limit in the blood. (15.2.6.9 (B)(3)).

Split sample rights as provided in 15.2.6.10 (D) NMRC, were afforded to the trainer and declined. Dayson Lavanway is the trainer of record for horse "Brickbat."

For Maria T. Gonzalez Delgadillo this is her FIRST Class 4C medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(3). The Board of Stewards assessed a penalty as follows:

The horse "Brickbat" is hereby disqualified from third place and ordered unplaced from the 3rd race on the August 14, 2021 at The Downs of Albuquerque Racetrack for all but pari-mutuel wagering. The purse redistribution is as follows:

- | | |
|------------------------|---------------------|
| 1. Fire When Ready | 5. Bashful Bob |
| 2. Bean and The Bug | 6. Purely Political |
| 3. Iza Daddy | 7. Lil Latigo |
| 4. Sharpshootinggeorge | 8. Sexy Dexy |
| | 9. Out On Saturday |

Unplaced "Brickbat"

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 NMRC 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) NMRC

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: September 24, 2021

David J. Lopez

John Adams

Heidi H. Miller



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-34**
Track: Downs at Albuquerque
Ruling Date: 9/17/2021

Licensee: VALDEZ-CABRAL, JR MARTIN MANUEL

License Type: Applicant Id: 32891
License Number:

Ruling # 2021-DAA-34

Action Type: Initial Ruling

Ruling:

Trainer Martin Valdez-Cabral Jr., having been duly notified, appeared before the Board of Stewards on September 14, 2021, regarding a security citation for working unlicensed help on September 10, 2021 at the Albuquerque Downs Racetrack.

Licensee is found to be in violation of:

16.47.1.8 (G)(1) Which states in pertinent part "The employment of any unlicensed person under the jurisdiction of the Commission is prohibited".

The Board of Stewards assessed Martin Valdez Cabral Jr. a penalty in the amount of two hundred fifty dollars (\$250). The fine is to be paid on or before October 17, 2021, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay this fine within the time prescribed may result in immediate suspension.

This ruling is written in accordance with:

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: September 23, 2021.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-DAA-35
Track Downs at Albuquerque
Ruling Date: 9/19/2021

Licensee: TOLEDO, JESUS JOSE

License Type: Applicant Id: 23463
License Number:

Ruling # 2021-DAA-35

Action Type: Initial Ruling

Ruling:

Owner Jesus Jose Toledo, (currently under summary suspension) appeared before the Board of Stewards on September 12, 2021 . The disciplinary hearing was in regard to the summary suspension issued on September 5, 2021 , regarding refusal to take a drug test due to suspicion of using drugs.

The Board of Stewards hereby assesses a penalty as follows:

1. Revocation of owner license.
2. Must complete a 60-day rehabilitation program.
3. Must provide proof of rehabilitation prior to licensure and complete all licensing requirements.

If Mr. Toledo participates in the rehab program administered by Chaplain Don Stover and fulfills all requirements, Mr. Toledo may be eligible for licensure after at least 30 days, but not as an owner so long as he does not own a horse. Mr .Toledo is credited with 15 days time served to the date of this ruling.

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

16.47.1.17 (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) (2) 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) (6) Human Drug Testing/ Restricted Activities It shall be an offense to exercise the privileges granted by a license from this commission if the licensee: refuses to submit to urine or drug testing, when notified that such testing is based on a random drug testing procedure, is based on reasonable suspicion that the person is using drugs or alcohol or is based on the licensee's acting as if in an impaired condition.

16.47.1.18 (B) ASSESSMENT/TREATMENT REQUIREMENTS GENERAL FIRST-TIME OFFENDERS

16.47.1.17 (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, 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

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 a money order or cashier's check. **Last date of appeal September 29, 2021**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-36**
Track: Downs at Albuquerque
Ruling Date: 9/17/2021

Licensee: DOMINGUEZ, SERGIO G

License Type: Applicant Id: 86326
License Number:

Ruling # 2021-DAA-36

Action Type: Initial Ruling

Ruling:

Jockey Sergio Dominguez, having failed to appear or send a Jockeys Guild representative regarding the 2nd Race on August 28, 2021 and the 3rd race on September 13, 2021, at the Albuquerque Downs Racetrack, is found in violation of Commission rules.

For these rule violations, the Board of Stewards assessed Sergio Dominguez a penalty of Two hundred dollars (\$200.00). The fine is to be paid on or before October 17, 2021, 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 in violation of:

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

This ruling is written in accordance with:

15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY
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
15.2.3.8 B (1) (a) Stewards General Authority
15.2.3.8 B (1) (c) 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
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 September 25, 2021

David Lopez *John Adams* *Shel H. Paul*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-37**
Track: Downs at Albuquerque
Ruling Date: 9/17/2021

Licensee: DE HERRERA, JOSE IGNACIO

License Type: Applicant Id: 16885
License Number:

Ruling # 2021-DAA-37

Action Type: Initial Ruling

Ruling:

Jose Ignacio DeHerrera, having been duly notified and waived his right to a ten(10) day notice of hearing before the Board of Stewards on **September 12, 2021**, for failure to have a flipping halter on **"Streaks Featured TF"** upon arrival in the paddock for **the 3rd race on September 11, 2021, at The Downs at Albuquerque Racetrack**.

The Board of Stewards hereby assesses **Jose Ignacio DeHerrera**, a fine in the amount of **one hundred dollars (\$100.00)**. The fine is to be paid on or before **October 17, 2021**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.8 (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

15.2.6.11(E)(10)Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment and shoes.

This ruling is written in accordance with:

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 Downs at Albuquerque Stewards

New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-38**
Track Downs at Albuquerque
Ruling Date: 9/19/2021

Licensee: **SIGALA, ALFREDO S.**

License Type: **Applicant Id: 158216**
License Number:

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: September 29, 2021.

By Order of The Downs at Albuquerque 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-DAA-39
Track Downs at Albuquerque
Ruling Date: 9/19/2021

Licensee: HEBERT, TRACY JAMES

License Type: Applicant Id: 159170
License Number:

Ruling # 2021-DAA-39

Action Type: Initial Ruling

Ruling:

Jockey, **Tracy James Hebert**, having been summoned and having appeared before the Board of Stewards **on September 19, 2021**, for careless riding during the running of the **6th race on September 18, 2021 at**, Albuquerque Downs Racetrack while aboard **"Zamara"** which drifted out across the racetrack bumping a rival. Zamara was disqualified from third and placed fourth

For this violation, the Board of Stewards assessed **Tracy James Hebert** a 7-day suspension from September 27, 2021, through October 3, 2021. **Tracy James Hebert** will be permitted to ride in designated race during the period of suspension.

Licensee is found in violation of:

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)(a) NMAC: Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

This ruling is written in accordance with:

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

15.2.3.8 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." The last day to file an appeal is September 29, 2021.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-DAA-39**
Track Downs at Albuquerque
Ruling Date: 9/19/2021

Licensee: **HEBERT, TRACY JAMES**

License Type: **Applicant Id: 159170**
License Number:

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.