



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

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

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

The Security License #298353 issued to Luis Alvarez is hereby **rescinded without prejudice** as he is no longer employed in that position, which is a requirement to be licensed.

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license.

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

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: DRAPER, ROBYNE HELENA

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

Ruling # 2021-RUI-2

Action Type: Initial Ruling

Ruling:

The **Trainer's** and **Owner's** Licenses issued to **Robyne Draper** is hereby rescinded without prejudice, **Robyne Draper** is hereby issued a Clocker's License.

This ruling is written in accordance with:

16.47.1.8 (M)(2) DURATION OF LICENSE: Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license".

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: QUINTANA, ERIC

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

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

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

This ruling is written in accordance with:

16.47.1.8 (M)(2) DURATION OF LICENSE: Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license".

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: ZAMORA, JAMIE LYNN

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

Ruling # 2021-RUI-4

Action Type: Initial Ruling

Ruling:

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

This ruling is written in accordance with:

16.47.1.8 (M)(2) DURATION OF LICENSE: Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license".

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: **CASTRO, RUBEN ANGEL**
License Type: **2019 3 Year Jockey** Applicant Id: **161094**
License Number: **295613**

Ruling # **2021-RUI-5**

Action Type: **Initial Ruling**

Ruling:

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

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

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: **BARRAZA-PENA, JESUS**

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

Ruling # **2021-RUI-6**

Action Type: **Initial Ruling**

Ruling:

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

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license.

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

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: HILLING, CURTIS R

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

Ruling # 2021-RUI-7

Action Type: Initial Ruling

Ruling:

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

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license.

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

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

Last Date for Appeal: June 10, 2021

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

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

Ruling # 2021-RUI-8
Action Type: Initial Ruling
Ruling:

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

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

Licensee is found to be in violation of:

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

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

Ruling # 2021-RUI-9

Action Type: Initial Ruling

Ruling:

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

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

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: **DELGADO, MARIO**

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

Ruling # **2021-RUI-10**

Action Type: **Initial Ruling**

Ruling:

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

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

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: VIRAMONTES, HUMBERTO

License Type: Applicant Id: 30998
License Number:

Ruling # 2021-RUI-11

Action Type: Initial Ruling

Ruling:

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: CHAVEZ, ALEJANDRO

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

Ruling # 2021-RUI-12

Action Type: Initial Ruling

Ruling:

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

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

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

This ruling is written in accordance with

15.2.6.9 J (7) (a) OUT OF COMPETITION TESTING/15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/ 15.2.3.8 B(3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority /16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/

15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, or money order" **Last date for appeal: June 21, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: RAMIREZ, ESTEBAN

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

Ruling # 2021-RUI-13

Action Type: Initial Ruling

Ruling:

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

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

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

This ruling is written in accordance with

15.2.6.9 J (7) (a) OUT OF COMPETITION TESTING/15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/ 15.2.3.8 B(3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d)Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority /16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9) (a)Failure to Appeal/

15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, or money order" **Last date for appeal: June 21, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: JONES, PAUL COMMODORE

License Type: 2018 3 Year Trainer Applicant Id: 23622
License Number: 291074

Ruling # 2021-RUI-14

Action Type: Initial Ruling

Ruling:

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

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

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

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

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

This ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/15.2.6.9. 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations.

15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. **Last Date for Appeal: June 21, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

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

Ruling # 2021-RUI-15

Action Type: Initial Ruling

Ruling:

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

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

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

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

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

This ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g)(j)Stewards/ 15.2.6.9(C)(1)(4)Medication Restrictions/15.2.6.9. 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1)Protection of Horses/ 16.47.1.10(B)(1)(2)(3)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations.

15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. **Last Date for Appeal: June 21, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

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

Ruling # 2021-RUI-16

Action Type: Initial Ruling

Ruling:

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

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

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

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

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

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

The purse redistribution is as follows:

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

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

Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards / 15.2.6.9(C)(1) Medication Restrictions / 15.2.6.9(F) Permissible / 15.2.6.9 NMAC Attachment 2 / Medications With Acceptable Levels / 15.2.6.9(B)(4) Penalty Recommendations / 15.2.3.8(B)(3)(k) Redistribution of Prizes / 15.2.5.13(E)(4)(d) NMAC

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

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

Ruling # **2021-RUI-17**

Action Type: **Initial Ruling**

Ruling:

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

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

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

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

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

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

The purse redistribution is as follows:

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

Unplaced: Jess Macho Corona

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

Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards / 15.2.6.9(C)(1) Medication Restrictions / 15.2.6.9(F) Permissible / 15.2.6.9 NMAC Attachment 2 / Medications With Acceptable Levels / 15.2.6.9(B)(4) Penalty Recommendations / 15.2.3.8(B)(3)(k) Redistribution of Prizes / 15.2.5.13(E)(4)(d) NMAC.

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

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

Ruling # 2021-RUI-18

Action Type: Initial Ruling

Ruling:

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

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

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

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

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

Licensee is found to be in violation of:

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

This ruling is written in accordance with:

15.2.3.8 B (3) (f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A) (1) License Required

16.47.1.8 (A) (2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: KEE, NANABAH J

License Type: Applicant Id: 163484
License Number:

Ruling # 2021-RUI-19

Action Type: Initial Ruling

Ruling:

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

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

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

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

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

Licensee is found to be in violation of:

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

This ruling is written in accordance with:

15.2.3.8 B (3) (f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A) (1) License Required

16.47.1.8 (A) (2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: LEYBA, MICHAEL ANTHONY

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

Ruling # 2021-RUI-20

Action Type: Initial Ruling

Ruling:

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

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-RUI-21
Track Ruidoso Downs
Ruling Date: 6/18/2021

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

Ruling # 2021-RUI-21

Action Type: Initial Ruling

Ruling:

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

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

Licensee is found in violation of:

15.2.1.9(B)(3)(a) NMAC: Which states in pertinent part "If the Stewards determine that a licensee's action constitute an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing".

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

This ruling is written in accordance:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

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

Ruling # 2021-RUI-22

Action Type: Initial Ruling

Ruling:

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

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

Licensee is found in violation of:

15.2.1.9(B)(3)(a) NMRC: Which states in pertinent part "If the Stewards determine that a licensee's action constitute an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing".

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

This ruling is written in accordance:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General authority. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: Ruiz, Jorge Indalecio

License Type: 2020 1 Year Owner Applicant Id: 157737
License Number: 299093

Ruling # 2021-RUI-23

Action Type: Initial Ruling

Ruling:

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

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

The Board of Stewards hereby assess penalty as follows:

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

The purse redistribution is as follows:

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

Unplaced: Zulu Moon

Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards / 15.2.6.9(C)(1) Medication Restrictions / 15.2.6.9(F) Permissible / 15.2.6.9 NMAC Attachment 2 / Medications With Acceptable Levels / 15.2.6.9(B)(4) Penalty Recommendations / 15.2.3.8(B)(3)(k) Redistribution of Prizes / 15.2.5.13(E)(4)(d) NMAC

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: RAMIREZ, ESTEBAN

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

Ruling # 2021-RUI-24

Action Type: Initial Ruling

Ruling:

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

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

The Board of Stewards hereby assess penalty as follows:

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

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

Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards, Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC 15.2.1.9(B)(9)(b): Appeal Procedures; Which states " An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon at the main commission offices or with the Stewards who issued the ruling and must be accompanied by a fee in the amount of \$500.00 dollars. The fee must be in the form of a cashier's check or a money order. Last day to file is June 29th, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: **MEDINA, ALEJANDRO**

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

Ruling # **2021-RUI-25**

Action Type: **Initial Ruling**

Ruling:

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

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

Licensee is found in violation of:

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

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

This ruling is written in accordance with:

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

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

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

Licensee: **BECERRA, JR SERGIO**

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

Ruling # **2021-RUI-26**

Action Type: **Initial Ruling**

Ruling:

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

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

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

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

Ruling # **2021-RUI-27**

Action Type: **Initial Ruling**

Ruling:

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

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

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

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

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

Ruling # 2021-RUI-28
Action Type: Initial Ruling
Ruling:

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

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

Licensee is found in Violation of:

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

This ruling is written in accordance with:

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check or money order." The last day to appeal is July 5, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-29**
Track **Ruidoso Downs**
Ruling Date: **7/2/2021**

Licensee: **PURCELL, KELSI KELSO**

License Type: **2020 3 Year Jockey** Applicant Id: **33369**
License Number: **297335**

Ruling # **2021-RUI-29**

Action Type: **Initial Ruling**

Ruling:

Jockey, **Kelsi Purcell**, having been summoned and having appeared before the Board of Stewards on July 2, 2021, for careless riding during the running of the 2nd race on June 27, 2021, at Ruidoso Downs, while aboard "W F Rip Tide". (Drifted in under right-handed whip),

For this violation, the Board of Stewards assessed **Kelsi Purcell** a fine of \$250.00. This fine is to be paid on or before August 1, 2021 in accordance with **15.2.3.8(B)(3)(I)**. Failure to pay this fine within the prescribed time shall result in immediate 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 July 12, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-30**
Track: **Ruidoso Downs**
Ruling Date: **7/3/2021**

Licensee: **GARCIA, EUGENE C.**

License Type: **2019 3 Year Trainer** Applicant Id: **19399**
License Number: **296759**

Ruling # **2021-RUI-30**

Action Type: **Initial Ruling**

Ruling:

Trainer: **Eugene C. Garcia**, was duly notified and waived his right to a 10-day notice and hearing before the Board of Stewards on July 2, 2021. The hearing was regarding the confirmed positive for Firocoxib and Dexamethasone a Drug Class 4 Penalty Class B violation, found in the blood of test sample E436410 taken from the horse "**Marking Time**", who finished in 1st place in the 9th race on May 14, 2021, at Sunray Park Racetrack. Split sample rights as provided in **15.2.6.10 (D) NMRC**, were afforded to the trainer, and declined.

Centurion Racing Partners, LLC (Kelly Bullin) is the owner of record for horse "**Marking Time**"

The Board of Stewards hereby assess a penalty for **Eugene C. Garcia's** first Class 4-B medication violation in a LIFETIME, issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

1. A 15 Day suspension of all NMRC licenses July 2, 2021, through July 16, 2021, inclusive.
2. A (750.00) Seven Hundred Fifty dollar fine to paid on or before August 2, 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.

In addition, Mr. Eugene C. Garcia 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.

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

Licensee is found in violation of and/or this ruling is written in accordance with: 15.2.6.9 NMRC Attachment #1 ARCI Uniform Classification of Substances-Version 14.4-January 2020, 15.2.6.9(C)(8)(a)(9)(10)(a)(b)(c)(d) Medication Restrictions 15.2.6.9(B)(2) Penalty Recommendations PROTECTION OF HORSES 16.47.1.10(B)(1)(2) Absolute Insurer 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 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, cashier's check or a corporate check. **Last date of appeal: July 12, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-31**
Track: Ruidoso Downs
Ruling Date: 7/3/2021

Licensee: SAUZAMEDA, ARMANDO
License Type: 2021 3 Year Owner Applicant Id: 163646
License Number: 301383

Ruling # 2021-RUI-31

Action Type: Initial Ruling

Ruling:

Owner, Armando Sauzameda having been duly notified, having failed to appear, and had his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **July 3, 2012, at Ruidoso Downs**. The hearing was to determine whether he had violated 16.47.1.8 GENERAL PROVISIONS and NMAC 16.47.1.8 T. Knowledge of the Rules and NMAC 16.47.1.8.L (1) (a) (d) (i) Grounds for disciplinary measure for a license, and refusal, denial, suspension, or revocation of a license and whether a penalty or other disciplinary action should be imposed upon for the alleged violation(s) by the Board of Stewards.

For this violation, the Board of Stewards issue **Armando Sauzameda** a penalty of the following:

A suspension of any/all New Mexico Racing Commission licenses, effective immediately **July 3, 2021**. He must appear before the New Mexico Racing Commission to explain his prior felony arrest record.

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

Licensee is found to be in violation of:

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

This ruling is written in accordance with:

15.2.3.8 B (3) (f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A) (1) License Required

16.47.1.8 (A) (2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check or money order." **The last day to file an appeal is July 13, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-32**
Track: **Ruidoso Downs**
Ruling Date: **7/2/2021**

Licensee: **BULLIN, KELLY C**
License Type: **2020 3 Year Owner** Applicant Id: **163228**
License Number: **299138**

Ruling # 2021-RUI-32

Action Type: Initial Ruling

Ruling:

Owner Centurion Racing Partners, LLC (Kelly Bullin) was duly notified and waived his right to a 10 day notice and hearing before the Board of Stewards on July 3, 2021. The hearing was regarding a confirmed positive for Firocoxib and Dexamethasone a Drug Class 4 Penalty Class B violation found in the blood test sample E436410. The test sample was taken from the first-place finisher "Marking Time" following the 9th race on May 14, 2021 at Sunray Park Racetrack.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to Trainer Eugene C. Garcia and was declined.

Eugene C. Garcia was the trainer of record for the horse "Marking Time" at the time of the violation.

In accordance with 15.2.6.9(B)(2) PENALTY RECOMMENDATIONS, this is Owner Centurion Racing Partners, LLC (Kelly Bullin) first Class 4B medication violation in a 365-day period the Board of Stewards hereby assess penalty as follows:

1. The horse "Marking Time" is hereby disqualified from first place and ordered unplaced from the 9th race on May 14, 2021 at Sunray Park Racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows:

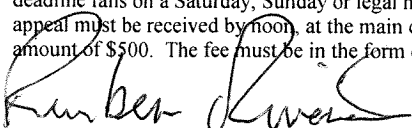

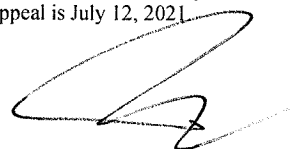
- 1) Revenoor Woman
- 2) Nova Star
- 3) Sweet Sassafrassy
- 4) Shesasmartypants
- 5) Eldorado Dream
- 6) Angel Creek

Unplaced: Marking Time

2. The horse "Marking Time" must pass a commission approved examination before being eligible to enter, after July 12, 2021.

Licensee is found to be in violation of and this ruling is written in accordance with 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards /15.2.6.9(C)(1) Medication Restrictions / 15.2.6.9(F)Permissible/ 15.2.6.9 NMAC Attachment 2/ Medications With Acceptable Levels /15.2.6.9(B)(4)Penalty Recommendations/ 15.2.3.8(B)(3)(k) Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday, or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check, or money order." The last day to file an appeal is July 12, 2021.



By Order of The Ruidoso Downs Stewards 



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-33**
Track: **Ruidoso Downs**
Ruling Date: **7/3/2021**

Licensee: **SANABRIA, ETNIEL**

License Type: **2021 1 Year Groom** Applicant Id: **162246**
License Number: **300963**

Ruling # 2021-RUI-33

Action Type: Initial Ruling

Ruling:

The Grooms License #300963 issued to **Etniel Sanabria** is hereby **rescinded without prejudice** as he has appeared before the Board of Stewards on **July 3, 2021**, and was issued his Trainers License.

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License Which states "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 Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-34**
Track: Ruidoso Downs
Ruling Date: 7/9/2021

Licensee: OVERTURF, ROBBY L
License Type: 2019 3 Year Trainer Applicant Id: 162602
License Number: 296349

Ruling # 2021-RUI-34

Action Type: Initial Ruling

Ruling:

The **Trainer's license** issued to **Robby Overturf** is hereby rescinded without prejudice as **he has** appeared before the Board of Stewards on July 9th, **2021**, and stated that **he** no longer works in this capacity. **Robby Overturf** 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 "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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-35**
Track: Ruidoso Downs
Ruling Date: 7/10/2021

Licensee: ORTEGA-SANDOVAL, RAFAEL

License Type: 2019 3 Year Owner Applicant Id: 32478
License Number: 294365

Ruling # 2021-RUI-35

Action Type: Initial Ruling

Ruling:

The Owner's license issued to Rafael Ortega is hereby rescinded without prejudice as he has appeared before the Board of Stewards on July 10th, 2021, and stated that he no longer works in this capacity. Rafael Ortega is hereby issued a Grooms License.

This ruling is written in accordance with:

16.47.1.8 (M)(2) DURATION OF LICENSE: Which states "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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-36**
Track **Ruidoso Downs**
Ruling Date: **7/10/2021**

Licensee: **ALVAREZ, DOSI R**
License Type: **2020 1 Year Groom** Applicant Id: **159640**
License Number: **298879**

Ruling # 2021-RUI-36

Action Type: Initial Ruling

Ruling:

Exercise Person/ Groom Dosi R. Alvarez is hereby summarily suspended, effective immediately July 10, 2021, pending the outcome of his summary suspension hearing scheduled on July 18, 2021 at 9:30 a.m in the offices of the Board of Stewards at Ruidoso Downs Racetrack (26225 US-70, NM 88346) per 15.2.1.9 (B)(3)(b) Summary Suspension, regarding Dosi R. Alvarez being found in possession of marijuana, mushrooms and other drug paraphernalia as well as a loaded 9 mm firearm in the barn area on July 10, 2021. During said time of applicable suspension Dosi R. Alvarez 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 Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-37**
Track: **Ruidoso Downs**
Ruling Date: **7/16/2021**

Licensee: **ARROSSA, MONTY JOE**

License Type: **2020 3 Year Trainer** Applicant Id: **162983**
License Number: **298021**

Ruling # **2021-RUI-37**

Action Type: **Initial Ruling**

Ruling:

Trainer: **Monty Arrossa**, having been duly notified and having waived his right to a hearing before the Board Of Stewards on **July 16, 2021**, regarding a lab report from Industrial Laboratories (the official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Medroxyprogesterone found in test sample **E372594** taken from the 2 yr old filly "**Jess Cindy**" following the 11th Race at Ruidoso Downs on July 3, 2020.

The original lab report indicated a finding of Medroxyprogesterone in the blood.

Sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **Monty Arrossa**.

Dunn Ranch (Matt Dunn ET AL) is the owner of record for the horse "Jess Cindy".

In accordance with 15.2.6.9 (C)(2)(b) NMAC, this is Monty Arrossa's FIRST medication violation.

For this **medication violation** issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assess **Monty Arrossa** a penalty as follows:

1. **A Warning** in accordance with 15.2.1.9(B)(7)(f) NMAC and 15.2.3.8 (B)(3)(l) NMAC.
2. The horse "**Jess Cindy**", must pass a commission-approved examination before being eligible to run.
3. **NO CHANGE IN THE ORDER OF FINISH**

Licensee is found to be in violation of, and in accordance with

15.2.6.9(C)(1-2-3) NMAC: Which states that "A finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in the case of a post-race test, was present in the horse's body while it was participating in a race (b) therapeutic medications in excess of established acceptable levels".

15.2.6.9 A. UNIFORM CLASSIFICATION GUIDELINES (4) Class 4 - This category is comprised primarily of therapeutic medications routinely used in race horses. These may influence performance, but generally have a more limited ability to do so.

15.2.6.11(A) NMAC: Trainer Responsibility

16.47.1.10(B)(1) NMAC: Absolute Insurer Which states in pertinent part that "The Trainer is the absolute insurer of the condition of horses entered in an official workout or race, and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horse. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by the commission approved laboratory is prima facie evidence of a violation of this rule. The Trainer is absolutely responsible regardless of the acts of third party."

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, or money order. **Last date for appeal: July 26, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-RUI-38
Track Ruidoso Downs
Ruling Date: 7/16/2021

Licensee: ESPARZA, STEPHANIE ANNE

License Type: Applicant Id: 96588
License Number:

Ruling # 2021-RUI-38

Action Type: Initial Ruling

Ruling:

Trainer: Stephanie Esparza, is hereby summarily suspended, effective immediately, July 16, 2021 pending the outcome of her summary suspension hearing scheduled for July 24, 2021, at 10:00 a.m. in the office of the board of Stewards at Ruidoso Downs (26225 U S 70, Ruidoso Downs NM 88345), per 15.2.1.9 (B)(3)(b) Summary Suspension. The summary suspension is in regard to the confirmed positive of the Class 1, Penalty A drug, Oxymorphone, found in test sample E412731 taken from the horse "Feisty Foxey", who finished in first place in the 10th race on June 11, 2021, at Ruidoso Downs Racetrack.

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

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

15.2.6 NMRC Attachment #1 ARCI Uniform Classification of Substances-Version 14.0- January 2019 pg 18- albuterol, Class A Classification for Quarter horses

15.2.6.9(C)(1)(8)(a)(9)(10)(a)(b)(c)(d) Medication Restrictions

15.2.6.9(B)(1) Penalty Recommendations

16.47.1.8 (U)(1)(2) PROTECTION OF HORSES

16.47.1.10(B)(1)(2) Absolute Insurer

16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license

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

15.2.1.8(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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-39**
Track: **Ruidoso Downs**
Ruling Date: **7/17/2021**

Licensee: **MARTINEZ, LUIS MARIO**

License Type: **2020 3 Year Jockey** Applicant Id: **161541**
License Number: **300000**

Ruling # **2021-RUI-39**

Action Type: **Initial Ruling**

Ruling:

Jockey, **Luis Mario Martinez**, having been summoned and having appeared before the Board of Stewards **on July 17, 2021**, for dangerous riding during the running of the **3d race on July 16, 2021**, **at Ruidoso Downs**, while aboard **"Pretty Not Handsom"**. (Drifted in sharply across the racetrack),

For this violation, the Board of Stewards assessed **Luis Mario Martinez** a fine of \$500.00 and suspended him for 14 days from the race dates July 26, 2021 through August 8, 2021. During the suspension **Luis Mario Martinez** will not be allowed to ride in designated races. This fine is to be paid on or before August 16, 2021 in accordance with **15.2.3.8(B)(3)(I)**. Failure to pay this fine within the prescribed time shall result in immediate 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 July 27, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-40**
Track: Ruidoso Downs
Ruling Date: 7/18/2021

Licensee: RIVAS, JUAN CARLOS

License Type: 2021 1 Year Jockey Applicant Id: 30997
License Number: 300585

Ruling # 2021-RUI-40

Action Type: Initial Ruling

Ruling:

Jockey, **Juan Carlos Rivas**, having been summoned and having appeared before the Board of Stewards **on July 18, 2021**, for dangerous riding during the running of the **6th race on July 17, 2021, at Ruidoso Downs**, while aboard **"Nolans Dragon"**. (Drifted in sharply across the racetrack resulting in clipped heels and a dropped rider),

For this violation, the Board of Stewards assessed **Juan Carlos Rivas** a fine of \$500.00 and suspended him for 13 days from the race dates July 18, 2021 through July 30, 2021. **Juan Carlos Rivas** will not be permitted to ride in designated race during the period of suspension. This fine is to be paid on or before August 17, 2021 in accordance with **15.2.3.8(B)(3)(I)**. Failure to pay this fine within the prescribed time shall result in immediate 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 July 28, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-41**
Track: Ruidoso Downs
Ruling Date: 7/18/2021

Licensee: CONSTANT, RONALD ALPHON
License Type: 2020 1 Year Trainer Applicant Id: 14841
License Number: 300166

Ruling # 2021-RUI-41

Action Type: Initial Ruling

Ruling:

Trainer: Ronald Constant having been duly notified and waived his right to a 10 day notice and a hearing, appeared before the Board Of Stewards on July 18, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMSRC), for a confirmed positive for the drug, Firocoxib (class 4-C penalty) found in test sample E412815 taken from the 2nd place finisher "Jazz On It Pz" following the 8th race, on June 18, 2021 at Ruidoso Downs Racetrack

The affidavit lab report indicated a finding of Firocoxib at 30.8 ng/ml in the blood, the allowable limit for Firocoxib is 20 ng/ml in the blood (15.2.6.9 Attachment).

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

Licano Guillermo is the owner of record for horse "Jazz On It Pz"

For Ronald Constant'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:

1. A (\$1,000) One thousand dollar fine to paid on or before August 19, 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, Ronald Constant has accumulated "0" points prior to this ruling and "2" points in connection with this ruling for a current total of "2" points 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.

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: July 29, 2021

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-42**
Track **Ruidoso Downs**
Ruling Date: **7/19/2021**

Licensee: **LICANO, GUILLERMO**

License Type: **2019 3 Year Owner** Applicant Id: **162773**
License Number: **296938**

Ruling # **2021-RUI-42**

Action Type: **Initial Ruling**

Ruling:

Owner: **Licano Guillermo** having been duly notified and waived his right to a 10 day notice and a hearing, appeared before the **Board Of Stewards on July 18, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMSRC)**, for a confirmed positive for the drug, **Firocoxib** (class 4-C penalty) found in test sample **E412815** taken from the **2nd place finisher "Jazz On It Pz"** following **the 8th race, on June 18, 2021 at Ruidoso Downs Racetrack**

The affidavit lab report indicated a finding of **Firocoxib at 30.8 ng/ml in the blood**, the allowable limit for **Firocoxib** is 20 ng/ml in the blood (**15.2.6.9 Attachment**).

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

Ronald Constant is the trainer of record for horse **"Jazz On It Pz"**

For **Licano Guillermo'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:

1. The horse **"Jazz On It Pz"** is hereby disqualified from second place and ordered unplaced from the 8th race on June 18, 2021 at Ruidoso Downs Racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows:

- 1) Vegas Pic
 - 2) Ms Blu Flash
 - 3) Kiss Me Quik
 - 4) Abby Zoomin
 - 5) Mr CJ
 - 6) Fire The Whip
- Unplaced: **"Jazz On It Pz"**

2. The horse **"Jazz On It Pz"** 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: July 29, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-43**
Track **Ruidoso Downs**
Ruling Date: **7/18/2021**

Licensee: **MARQUEZ-CASILLAS, ALFREDO**
License Type: **2019 3 Year Trainer** Applicant Id: **26799**
License Number: **295491**

Ruling # **2021-RUI-43**

Action Type: **Initial Ruling**

Ruling:

Trainer: **Alfredo Marquez-Casillas**, having been duly notified and waived his right to a 10 day notice and a hearing, appeared before the **Board Of Stewards on July 18, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMSRC)**, for a confirmed positive for the drug, **Phenylbutazone** (class 4-C penalty) found in test sample **E412997** taken from the **1st place finisher "First Featured Effort"** following the **1st race, on July 3, 2021 at Ruidoso Downs Racetrack**

The affidavit lab report indicated a finding of **Phenylbutazone at 0.563 ug/ml in the blood**, which exceeds the allowable limit of 0.3 ug/ml 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.

Isreal Border is the owner of record for horse **"First Featured Effort"**

For **Alfredo Marquez-Casillas'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:

1. **A (\$1,000) One thousand dollar fine to paid on or before August 19, 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, Alfredo Marquez has accumulated "0" points prior to this ruling and "0.5" points in connection with this ruling for a current total of "0.5" points 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.

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: July 29, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-44**
Track: Ruidoso Downs
Ruling Date: 7/18/2021

Licensee: **BORDIER, ISRAEL LEAL**

License Type: **Applicant Id: 3054**
License Number:

Ruling # 2021-RUI-44

Action Type: Initial Ruling

Ruling:

Owner: **Isreal Bordier**, having been duly notified and waived his right to a 10 day notice and a hearing, appeared before the **Board Of Stewards on July 18, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMSRC)**, for a confirmed positive for the drug, **Phenylbutazone** (class 4-C penalty) found in test sample **E412997** taken from the **1st place finisher "First Featured Effort"** following **the 1st race, on July 3, 2021 at Ruidoso Downs Racetrack**

The affidavit lab report indicated a finding of **Phenylbutazone at 0.563 ug/ml in the blood**, which exceeds the allowable limit of 0.3 ug/ml 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.

Alfredo Marquez-Casillas is the trainer of record for horse "**First Featured Effort**"

For Isreal Bordier'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:

1. The horse "**First Featured Effort**" is hereby disqualified from second place and ordered unplaced from the 8th race on June 18, 2021 at Ruidoso Downs Racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows:

- 1) Dash Past Them
- 2) Daddies Superstar
- 3) Zekes Dashing Regard
- 4) DF Fabulous Force
- 5) Loving My Storm
- 6) Rapid Perks Cartel

Unplaced: "**First Featured Effort**"

2. The horse "**First Featured Effort**" 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: July 29, 2021

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-45**
Track: Ruidoso Downs
Ruling Date: 7/19/2021

Licensee: ROMAN, SR FRANCISCO J.

License Type: 2020 3 Year Owner Applicant Id: 18375
License Number: 300156

Ruling # 2021-RUI-45

Action Type: Initial Ruling

Ruling:

Owner: Francisco Roman Sr. was duly notified and was represented by trainer Javier Roman, by telephone before the Board of Stewards on July 17, 2021. The hearing was in regard to the confirmed positive of the Drug Class 3 Penalty Class A (Quarter Horses), Controlled Substance, Clenbuterol, found in test sample E436415 taken from the 2nd place finisher, "Jr Little Regard", in the 1st race on May 15, 2021, at Ruidoso Downs Racetrack.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to trainer and declined. There is no permissible concentration of Clenbuterol allowed to appear in any official sample.

Javier Roman, Jr. is the trainer of record for the horse "Jr Little Regard".

Aggravating Circumstances: Clenbuterol is a Controlled Substance in New Mexico.

For Francisco Roman Sr.'s First lifetime 3A medication violation issued in accordance with 15.2.6.9 (B)(1) Penalty Recommendations, the Board of Stewards hereby assess a penalty as follows.

1. Pursuant to rule 15.2.6.9 (B)(1), the horse "Jr Little Regard" is on the veterinarian's list for 180 days (July 17, 2021 through January 12, 2022) and must pass a commission-approved examination before becoming eligible to be entered.
2. The horse "Jr Little Regard", is hereby disqualified from 2nd place and ordered unplaced from the 1st race on January 31, 2020, at Ruidoso Downs Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

- | | |
|------------------------|-------------------------|
| 1) Mr P A | 6. Mr Mmab |
| 2) Way to Gossip | 7. Cowboy Buckout |
| 3) Mr Secret Sixes | 8. Cantcatchthe Wee Man |
| 4) Mirandas Miracle | |
| 5) Sixes Spicy N Royal | |

Unplaced "Jr Little Regard"

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/ 15.2.5.13(E)(4)(d) Running of the Race/ 15.2.6.9 MEDICATIONS AND PROHIBITED SUBSTANCES/ 15.2.6.9(L)(3)(o) MEDICATIONS AND PROHIBITED SUBSTANCES Environmental contaminants and substances of human use/15.2.5.14 D. 7 Protests, Objection and Inquiries/ 15.2.6.9(C)(1)(8)(c) Medication Restrictions/ 15.2.6.11 Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses/ 16.47.1.10(B)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendation/ 15.2.5.13 E (4) (d) Disqualification and purse distribution.

15.2.1.9(B)(9)(b):Appeal Procedures An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a money order or cashier's check. **Last day for appeal: July 29, 2021**

By Order of The Ruidoso Downs Stewards

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-47**
Track **Ruidoso Downs**
Ruling Date: **7/19/2021**

Licensee: **CARRILLO-GOMEZ, PEDRO**
License Type: **2019 3 Year Owner** Applicant Id: **33606**
License Number: **295659**

Ruling # **2021-RUI-47**

Action Type: **Initial Ruling**

Ruling:

Owner: Pedro Carrillo-Gomez. was duly notified and appeared by telephone before the Board of Stewards on July 17, 2021. The hearing was in regard to the confirmed positive of the Drug Class 3 Penalty Class A (Quarter Horses), Albuterol, found in test sample E436402 taken from the 1st place finisher, "Zoominair", in the 5th race on May 14, 2021, at Ruidoso Downs Racetrack.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to trainer and declined.
There is no permissible concentration of Albuterol allowed to appear in any official sample.

Beatriz Sanchez-Carrillo. is the trainer of record for the horse "Zoominair".

Aggravating Circumstances: Albuterol is a performance enhancing drug.

For Pedro Carrillo-Gomez's First lifetime 3A medication violation issued in accordance with 15.2.6.9 (B)(1) Penalty Recommendations, the Board of Stewards hereby assess a penalty as follows.

1. Pursuant to rule 15.2.6.9 (B)(1), the horse "Zoominair" is on the veterinarian's list for 180 days (July 16, 2021, through January 11, 2022) and must pass a commission-approved examination before becoming eligible to be entered.
2. The horse "Zoominair", is hereby disqualified from 1st place and ordered unplaced from the 5th race on May 14, 2021, at Ruidoso Downs Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

- | | |
|---------------------|-----------------------|
| 1) Rarin | 6. Mias Irish Destiny |
| 2) Apolliperfection | 7. Jess Botticelli |
| 3) Taking the Stage | 8. DF Storm Tales |
| 4) Only Business | |
| 5) Flashy Jess | |

Unplaced "Zoominair"

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/ 15.2.5.13(E)(4)(d) Running of the Race/ 15.2.6.9 MEDICATIONS AND PROHIBITED SUBSTANCES/ 15.2.6.9(L) (3)(o) MEDICATIONS AND PROHIBITED SUBSTANCES Environmental contaminants and substances of human use/15.2.5.14 D. 7 Protests, Objection and Inquiries/ 15.2.6.9(C)(1)(8)(c) Medication Restrictions/ 15.2.6.11 Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses/ 16.47.1.10(B)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendation/ 15.2.5.13 E (4) (d) Disqualification and purse distribution.

15.2.1.9(B)(9)(b):Appeal Procedures An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a money order., **Last day for appeal: July 29, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-48**
Track: Ruidoso Downs
Ruling Date: 7/23/2021

Licensee: ESCOBAR, VICTOR

License Type: 2018 3 Year Trainer Applicant Id: 25459
License Number: 291318

Ruling # 2021-RUI-48

Action Type: Initial Ruling

Ruling:

The Trainer's License #291318 issued to **Victor Escobar** is hereby **rescinded without prejudice** as he has stated telephonically to the Ruidoso Board of Stewards and appeared at the NMRC office in Albuquerque on **July 23, 2021**, and stated he does not work in this capacity any longer and was issued a Jockey's agent license.

This ruling is in accordance with:

16.47.1.8 (M)(2)Duration Of License Which states "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 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 Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-49**
Track **Ruidoso Downs**
Ruling Date: **7/25/2021**

Licensee: **LUJAN, SOCORRO O**

License Type: **2020 1 Year Assistant S Applicant Id: 7768**
License Number: **299874**

Ruling # **2021-RUI-49**

Action Type: **Initial Ruling**

Ruling:

Assistant Starter: Socorro Lujan is hereby summarily suspended, effective immediately July 25, 2021, pending the outcome of his summary suspension hearing scheduled on July 30, 2021 at 10:30 A.M. in the offices of the Board of Stewards at Ruidoso Downs Racetrack (26225 US-70, NM 88346) per 15.2.1.9 (B)(3)(b) (Summary Suspension) regarding Socorro Lujan being found in possession of a bottle of Injectable Dexamethasone and an unidentified bag of white powder in his truck, in the barn area on July 25, 2021. During said time of applicable suspension, Socorro Lujan 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 Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-50**
Track **Ruidoso Downs**
Ruling Date: **7/25/2021**

Licensee: **CALDERON, FRANCISCO**

License Type: **2019 3 Year Jockey** Applicant Id: **35440**
License Number: **294416**

Ruling # **2021-RUI-50**

Action Type: **Initial Ruling**

Ruling:

Jockey, **Francisco Calderon**, having been summoned and having appeared before the Board of Stewards **on July 25, 2021**, for careless riding during the running of the **7th race on July 24, 2021, at Ruidoso Downs**, while aboard **"Separate Sentence"**. (Drifted out across the racetrack),

For this violation, the Board of Stewards assessed **Francisco Calderon** a fine of \$250.00. This fine is to be paid on or before August 25, 2021, in accordance with **15.2.3.8(B)(3)(I)**. Failure to pay this fine within the prescribed time shall result in immediate 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 August 4, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-51**
Track **Ruidoso Downs**
Ruling Date: **7/26/2021**

Licensee: **HEBERT, TRACY JAMES**
License Type: **2020 1 Year Jockey** Applicant Id: **159170**
License Number: **300097**

Ruling # **2021-RUI-51**

Action Type: **Initial Ruling**

Ruling:

Jockey: Tracy H. Hebert is hereby summarily suspended, effective immediately July 25, 2021, pending the outcome of his summary suspension hearing scheduled on July 30, 2021 at 9:30 A.M. in the offices of the Board of Stewards at Ruidoso Downs Racetrack (26225 US-70, NM 88346) per 15.2.1.9 (B)(3)(b) (Summary Suspension) regarding Tracy H. Hebert being found in possession of unidentified pills and tested positive in urine for opiates and amphetamines on July 25, 2021. During said time of applicable suspension, Tracy H. Hebert 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.
15.2.6.8 (B)(5)

If a person has a medical condition which makes it necessary to possess a prohibited item pursuant to Paragraph (3) of Subsection B of 15.2.6.8 NMAC, that person may:

- (a) request permission of the stewards or the commission in writing;
- (b) furnish a letter from a licensed physician explaining why it is necessary for the person to possess a prohibited item; and
- (c) must comply with any conditions and restrictions set by the stewards or the commission.

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 16.47.1.8 (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 Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-52**
Track **Ruidoso Downs**
Ruling Date: **7/30/2021**

Licensee: **CALDERON, FRANCISCO**

License Type: **2019 3 Year Jockey** Applicant Id: **35440**
License Number: **294416**

Ruling # **2021-RUI-52**

Action Type: **Initial Ruling**

Ruling:

Jockey **Francisco Calderon**, having been summoned and appeared before the Board of Stewards on **July 30, 2021**, for **excessive use of whip**, while aboard "**Jess Savin Candy**" in the **10th Race July 25, 2021** at Ruidoso Downs, is found to be in violation of Commission rules.

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

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-53**
Track: Ruidoso Downs
Ruling Date: 7/30/2021

Licensee: VALENZUELA, RAUL A
License Type: 2021 1 Year Jockey Applicant Id: 86339
License Number: 300772

Ruling # 2021-RUI-53

Action Type: Initial Ruling

Ruling:

Jockey **Raul Valenzuela**, having been summoned and appeared before the Board of Stewards on **July 30, 2021**, for **excessive use of whip**, while aboard "**Double Duty**" in the **10th Race July 25, 2021** at Ruidoso Downs, is found to be in violation of Commission rules.

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

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-54**
Track: **Ruidoso Downs**
Ruling Date: **7/30/2021**

Licensee: **PULIDO, JUAN**

License Type: **2019 3 Year Jockey** Applicant Id: **106635**
License Number: **295110**

Ruling # **2021-RUI-54**

Action Type: **Initial Ruling**

Ruling:

Jockey **Juan Pulido**, having been summoned and appeared before the Board of Stewards on **July 30, 2021**, for **excessive use of whip**, while aboard "**Macs Lady M**" in the **9th Race July 25, 2021** at Ruidoso Downs, is found to be in violation of Commission rules.

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

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-55**
Track: **Ruidoso Downs**
Ruling Date: **8/5/2021**

Licensee: **RODRIGUEZ, MANUEL RODOLFO**
License Type: **2020 3 Year Trainer** Applicant Id: **9846**
License Number: **300108**

Ruling # 2021-RUI-55

Action Type: Initial Ruling

Ruling:

Trainer/Owner: **Manuel R. Rodriguez**, was duly notified and waived his right to a 10-day notice and hearing before the Board of Stewards on August 1, 2021. The hearing was regarding the confirmed positive for Diclofenac and Dexamethasone a Stacking Drug Class 4 Penalty Class B violation, found in the blood of test sample E413028 taken from the horse "**The Heavy Favorite**", who finished in 1st place in the 1st race on July 9, 2021 at Ruidoso Downs Racetrack.

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

MRB Racing LLC (Manuel Rodriguez) is the owner of record for horse "**The Heavy Favorite**"

Note: No evidence was presented to disprove the findings of the New Mexico Racing Commission and testing was done in accordance with 15.2.6.10 (B)

Aggravating Factor: Detection of two or more NSAIDS constitutes a Stacking Violation (Penalty Class B) 15.2.6.9 (N)(5)

Mitigating Factor: First medication violation in 7 years.

The Board of Stewards hereby assess a penalty for **Manuel R. Rodriguez's** first Class 4-B medication violation in 365 days, issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

1. A 15 Day suspension of all NMRC licenses August 9, 201 through August 23, 2021, inclusive.
2. A (\$750.00) Seven Hundred Fifty dollar fine to paid on or before September 8, 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. The horse "**The Heavy Favorite**" is hereby disqualified from 1st place and ordered unplaced from the 1st race on July 9, 2021, at Ruidoso Downs Racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows:

- | | |
|----------------------|------------------------|
| 1) High Flying Hero | 6. Nez Classified |
| 2) Onthocks | 7. Apolitical J Talent |
| 3) Cc Max | 8. One Famous Brand |
| 4) Hally | |
| 5) Political Thinker | |

Unplaced: "**The Heavy Favorite**"

4. The horse "**The Heavy Favorite**" must pass a commission approved exam before entry.

In addition, **Manuel R. Rodriguez** 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.

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

Licensee is found in violation of and/or this ruling is written in accordance with: 15.2.6.9 NMAC Attachment #1 ARCI Uniform Classification of Substances-Version 14.4-January 2020, 15.2.6.9(C)(8)(a)(9)(10)(a)(b)(c)(d) Medication Restrictions 15.2.6.9(B)(2) Penalty Recommendations PROTECTION OF HORSES 16.47.1.10(B)(1)(2) Absolute Insurer 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/

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, cashier's check or a corporate check. Last date of appeal: August 15, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-56**
Track **Ruidoso Downs**
Ruling Date: **8/5/2021**

Licensee: **RODRIGUEZ, MANUEL RODOLFO**
License Type: **2020 3 Year Trainer** Applicant Id: **9846**
License Number: **300108**

Ruling # **2021-RUI-56**

Action Type: **Initial Ruling**

Ruling:

Trainer/Owner: **Manuel R. Rodriguez**, was duly notified and waived his right to a 10-day notice and hearing before the Board of Stewards on August 1, 2021. The hearing was regarding the confirmed positive for Methocarbamol and Dexamethasone a Stacking Drug Class 4 Penalty Class B violation, found in the blood of test sample E413039 taken from the horse "**Shesa Relentless Gal**" who finished in 2nd place in the 5th race on July 9, 2021 at Ruidoso Downs Racetrack, (Rainbow Quarter Horse Futurity Trials)
Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to the trainer and declined.
MRB Racing LLC (Manuel Rodriguez) is the owner of record for horse "**Shesa Relentless Gal**"

Note: No evidence was presented to disprove the findings of the New Mexico Racing Commission and testing was done in accordance with 15.2.6.10 (B)

Aggravating Factor: Detection of two or more NSAIDS constitutes a Stacking Violation (Penalty Class B) 15.2.6.9 (N)(5)

Mitigating Factor: Multiple positive tests for the same medication prior to delivery of official notice.

The Board of Stewards hereby assess a penalty for **Manuel R. Rodriguez's** 2nd Class 4-B medication violation in 365 days, issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

1. A 30-Day suspension of all NMRC licenses August 24, 2021 through September 23, 2021, inclusive. These dates are associated with other rulings and will become effective immediately if those rulings are amended.
2. A (\$1000.00) One Thousand dollar fine to be paid on or before September 8, 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. The horse "**Shesa Relentless Gal**" is hereby disqualified from 2nd place and ordered unplaced from the 5th race (trial) on July 9, 2021 at Ruidoso Downs and from 1st place in the 8th race (Rainbow) on July 25, 2021 at Ruidoso Downs for all but pari-mutuel wagering.

When the penalty assessed against a licensee for a medication or drug violation in a trial race results in a disqualification and loss of purse, the licensee is subject to the same penalties for any race for which the trial race was conducted. 15.2.6.9 (A)(7) NMAC

The purse redistribution is as follows: Trial 5th Race 7/9/21

- | | |
|-------------------------|------------------------|
| 1. Cc Hocks | 6. This Famous Dream |
| 2. KJ Brandy | 7. Runningonfire |
| 3. Wasp | 8. Valiant Stevie B |
| 4. Apollitical J Streak | 9. Fg Jess Born to Run |
| 5. Fire Me Quick | |

Unplaced: "**Shesa Relentless Gal**"

4. The horse "**Shesa Relentless Gal**" must pass a commission approved exam before entry.

In addition, **Manuel R. Rodriguez** has accumulated "1" points prior to this ruling and "1" point in connection with this ruling for a current total of 2 under the multiple medication violation point system.

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

Licensee is found in violation of and/or this ruling is written in accordance with: 15.2.6.9 NMAC Attachment #1 ARCI Uniform Classification of Substances-Version 14.4-January 2020, 15.2.6.9(C)(8)(a)(9)(10)(a)(b)(c)(d) Medication Restrictions 15.2.6.9(B)(2) Penalty Recommendations PROTECTION OF HORSES 16.47.1.10(B)(1)(2) Absolute Insurer 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A) (1)(2) License Required /16.47.1.8(N) Changes in Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/

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, cashier's check or a corporate check. Last date of appeal: August 15, 2021

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-57**
Track: **Ruidoso Downs**
Ruling Date: **8/5/2021**

Licensee: **RODRIGUEZ, MANUEL RODOLFO**
License Type: **2020 3 Year Trainer** Applicant Id: **9846**
License Number: **300108**

Ruling # 2021-RUI-57

Action Type: Initial Ruling

Ruling:

Trainer/Owner: **Manuel R. Rodriguez**, was duly notified and waived his right to a 10-day notice and hearing before the Board of Stewards on August 1, 2021. The hearing was regarding the confirmed positive for Declofenac and Dexamethasone, a Stacking Drug Class 4 Penalty Class B violation, found in the blood of test sample E413053 taken from the horse "**Whirlaway Wagon**", who finished in 1st place in the 12th race on July 9, 2021, at Ruidoso Downs Racetrack, (Rainbow Quarter Horse Futurity Trials)
Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to the trainer, and declined.
MRB Racing LLC (Manuel Rodriguez) is the owner of record for horse "**Whirlaway Wagon**"

Note: No evidence was presented to disprove the findings of the New Mexico Racing Commission and testing was done in accordance with 15.2.6.10 (B)

Aggravating Factor: Detection of two or more NSAIDS constitutes a Stacking Violation (Penalty Class B) 15.2.6.9 (N)(5)

Mitigating Factor: Multiple positive test for the same medication prior to delivery of official notice.

The Board of Stewards hereby assess a penalty for **Manuel R. Rodriguez's** 3rd Class 4-B medication violation in 365 days, issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

1. A 60-Day suspension of all NMRC licenses September 24, 2021 through November 23, 2021 inclusive. These dates are associated with other rulings and will become effective immediately if those rulings are amended.
2. A (\$2500.00) Two Thousand Five Hundred dollar fine for the Trainer to be paid on or before September 8, 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. A (\$5000.00) Five Thousand dollar fine for being the Owner to be paid on or before September 8, 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.
4. The horse "**Whirlaway Wagon**" Is hereby disqualified from 1st place and ordered unplaced from the 12th race (trial) on July 9, 2021 at Ruidoso Downs for all but pari-mutuel wagering.

The purse redistribution is as follows: Trial 12th Race 7/9/21

- | | |
|------------------------|------------------|
| 1. The Stars of Corona | 6. Fiesty Six |
| 2. Warning | 7. One Racy Lady |
| 3. Mr C Politician | 8. Rigamaro |
| 4. Coming to You | |
| 5. KJ Wildthang | |

Unplaced: "**Whirlaway Wagon**"

5. The horse "**Whirlaway Wagon**" is placed on the stewards list for 45 days (8/5/2021 through 9/19/2021) and must pass a commission approved exam before entry.

In addition, **Manuel R. Rodriguez** has accumulated "2" points prior to this ruling and "1" point in connection with this ruling for a current total of 3 under the multiple medication violation point system.

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

Licensee is found in violation of and/or this ruling is written in accordance with: 15.2.6.9 NMAC Attachment #1 ARCI Uniform Classification of Substances-Version 14.4-January 2020, 15.2.6.9(C)(8)(a)(9)(10)(a)(b)(c)(d) Medication Restrictions 15.2.6.9(B)(2) Penalty Recommendations PROTECTION OF HORSES 16.47.1.10(B)(1)(2) Absolute Insurer 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A) (1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/

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, cashier's check or a corporate check. Last date of appeal: August 15, 2021



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-58**
Track: **Ruidoso Downs**
Ruling Date: **8/5/2021**

Licensee: **RODRIGUEZ, MANUEL RODOLFO**
License Type: **2020 3 Year Trainer** Applicant Id: **9846**
License Number: **300108**

Ruling # 2021-RUI-58

Action Type: Initial Ruling

Ruling:

Trainer/Owner: **Manuel R. Rodriguez**, was duly notified and waived his right to a 10-day notice and hearing before the Board of Stewards on August 1, 2021. The hearing was regarding the confirmed positive for Declofenac and Dexamethasone, a Stacking Drug Class 4 Penalty Class B violation, found in the blood of test sample E413076 taken from the horse "**First Prize Dash 2**", who finished in 2nd place in the 8th race on July 10, 2021, at Ruidoso Downs Racetrack, (Rainbow Quarter Horse Futurity Trials)

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

MRB Racing LLC (Manuel Rodriguez) is the owner of record for horse "**First Prize Dash 2**"

Note: No evidence was presented to disprove the findings of the New Mexico Racing Commission and testing was done in accordance with 15.2.6.10 (B)

Aggravating Factor: Detection of two or more NSAIDS constitutes a Stacking Violation (Penalty Class B) 15.2.6.9 (N)(5)

Mitigating Factor: Multiple positive test for the same medication prior to delivery of official notice.

The Board of Stewards hereby assess a penalty for **Manuel R. Rodriguez's** 4th Class 4-B medication violation in 365 days, issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

1. A 60-Day suspension of all NMRC licenses November 24, 2021, through January 23, 2022, inclusive. These dates are associated with other rulings and will become effective immediately if those rulings are amended.
2. A (\$2500.00) Two Thousand Five Hundred dollar fine for the Trainer to be paid on or before September 8, 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. A (\$5000.00) Five Thousand dollar fine for being the Owner to be paid on or before September 5, 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.
4. The horse "**First Prize Dash 2**" is hereby disqualified from 2nd place and ordered unplaced from the 8th race (trial) on July 10, 2021, at Ruidoso Downs for all but pari-mutuel wagering.

The purse redistribution is as follows: Trial 8th Race 7/10/21

- | | |
|---------------------|-------------------------|
| 1. Delight Us All | 6. Insyght |
| 2. Kreede | 7. Levis Domain |
| 3. Desirio B Quick | 8. Eye Am Valiant (DNF) |
| 4. Precious Dynasty | |
| 5. Sippin Jordan | |

Unplaced: "**First Prize Dash 2**"

5. The horse "**First Prize Dash 2**" is placed on the stewards list for 45 days (8/5/2021 through 9/19/2021) and must pass a commission approved exam before entry.

In addition, Manuel R. Rodriguez has accumulated "3" points prior to this ruling and "1" point in connection with this ruling for a current total of 4 under the multiple medication violation point system.

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

Licensee is found in violation of and/or this ruling is written in accordance with: 15.2.6.9 NMAC Attachment #1 ARCI Uniform Classification of Substances-Version 14.4-January 2020, 15.2.6.9(C)(8)(a)(9)(10)(a)(b)(c)(d) Medication Restrictions 15.2.6.9(B)(2) Penalty Recommendations PROTECTION OF HORSES 16.47.1.10(B)(1)(2) Absolute Insurer 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A) (1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/

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, cashier's check or a corporate check. **Last date of appeal: August 15, 2021**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-59**
Track: **Ruidoso Downs**
Ruling Date: **8/6/2021**

Licensee: **GARCIA, JR NOE**

License Type: **2021 3 Year Jockey** Applicant Id: **157715**
License Number: **301912**

Ruling # 2021-RUI-59

Action Type: Initial Ruling

Ruling:

Jockey, **Noe Garcia, Jr**, having been summoned and having appeared before the Board of Stewards **on August 6, 2021**, for careless riding during the running of the **9th race on August 1, 2021 at Ruidoso Downs**, while aboard **"Just Devine"**. (Drifted in across the racetrack).

For this violation, the Board of Stewards assessed **Noe Garcia, Jr** has been suspended for 7 days from the race dates August 13, 2021, through August 19, 2021. **Noe Garcia, Jr** 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 August 16, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-60**
Track: **Ruidoso Downs**
Ruling Date: **8/6/2021**

Licensee: **HEBERT, TRACY JAMES**

License Type: **2020 1 Year Jockey** Applicant Id: **159170**
License Number: **300097**

Ruling # **2021-RUI-60**

Action Type: **Initial Ruling**

Ruling:

Jockey, **Tracy James Hebert**, having been summoned and having appeared before the Board of Stewards **on August 6, 2021**, for careless riding during the running of the **10th race on August 1, 2021 at Ruidoso Downs**, while aboard **"Awesome Storm"**. (Drifted out across the racetrack).

For this violation, the Board of Stewards assessed **Tracy James Hebert** has been suspended for 7 days from the race dates August 13, 2021 through August 19, 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 August 16, 2021

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-61**
Track **Ruidoso Downs**
Ruling Date: **8/6/2021**

Licensee: **PULIDO, JUAN**

License Type: **2019 3 Year Jockey** Applicant Id: **106635**
License Number: **295110**

Ruling # **2021-RUI-61**

Action Type: **Initial Ruling**

Ruling:

Jockey **Juan Pulido**, having been summoned and appeared before the Board of Stewards on **August 6, 2021**, for **excessive use of whip**, while aboard "**Flashin Fire**" in the **11th Race August 1, 2021** at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Juan Pulido**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **September 15, 2021** in accordance with **15.2.3.8 (B)(3) (I)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is August 16, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-62**
Track **Ruidoso Downs**
Ruling Date: **8/7/2021**

Licensee: **ARBOLEDA, ALDO ANTONIO**
License Type: **2020 3 Year Jockey** Applicant Id: **3791**
License Number: **299576**

Ruling # 2021-RUI-62

Action Type: Initial Ruling

Ruling:

Jockey, **Aldo Antonio Arboleda**, having been summoned and having appeared before the Board of Stewards **on August 7, 2021**, for careless riding during the running of the **8th race on August 1, 2021 at Ruidoso Downs**, while aboard **"Count Them Again"**. (Drifted out across the racetrack).

For this violation, the Board of Stewards assessed **Aldo Antonio Arboleda** a 7-day suspension from the race dates August 16, 2021 through August 22, 2021. **Aldo Antonio Arboleda** 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 August 17, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-63**
Track: **Ruidoso Downs**
Ruling Date: **8/8/2021**

Licensee: **AGUILAR, EFREN**

License Type: **2021 1 Year Jockey** Applicant Id: **159432**
License Number: **301522**

Ruling # **2021-RUI-63**

Action Type: **Initial Ruling**

Ruling:

Jockey **Efren Aguilar**, having been summoned and appeared before the Board of Stewards on **August 8, 2021**, for **excessive use of whip**, while aboard "**El Quemadito**" in the **4th Race August 7, 2021**, at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Efren Aguilar**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **September 16, 2021** in accordance with **15.2.3.8 (B)(3) (I)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is August 18, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-64**
Track: **Ruidoso Downs**
Ruling Date: **8/8/2021**

Licensee: **RIVAS, JUAN CARLOS**

License Type: **2021 1 Year Jockey** Applicant Id: **30997**
License Number: **300585**

Ruling # 2021-RUI-64

Action Type: Initial Ruling

Ruling:

Jockey **Juan Carlos Rivas**, having been summoned and appeared before the Board of Stewards on **August 8, 2021**, for **excessive use of whip**, while aboard "**Born Ta Boogie**" in the **2nd Race August 7, 2021** at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Juan Carlos Rivas**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **September 16, 2021** in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is August 18, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-65**
Track **Ruidoso Downs**
Ruling Date: **8/8/2021**

Licensee: **ORTIZ, JOSE ENRIQUE**

License Type: **2019 3 Year Jockey** Applicant Id: **35364**
License Number: **294190**

Ruling # **2021-RUI-65**

Action Type: **Initial Ruling**

Ruling:

Jockey, **Jose Enrique Ortiz**, having been summoned and having appeared before the Board of Stewards **on August 8, 2021**, for careless riding during the running of the **10th race on August 1, 2021 at Ruidoso Downs**, while aboard **"Run Potion"**. (Drifted in across the racetrack).

For this violation, the Board of Stewards assessed **Jose Enrique Ortiz** a 7-day suspension from the race dates August 16, 2021, through August 22, 2021. **Jose Enrique Ortiz** 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 August 18, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-66**
Track: **Ruidoso Downs**
Ruling Date: **8/14/2021**

Licensee: **ALDRETE-BIZCARRA, HECTOR**

License Type: **2019 3 Year Jockey** Applicant Id: **35261**
License Number: **292775**

Ruling # 2021-RUI-66

Action Type: Initial Ruling

Ruling:

Jockey **Hector Aldrete-Bizcarra**, having been summoned and did not appear before the Board of Stewards on **August 14, 2021**, for **excessive use of whip**, while aboard "Jess Call MEH" in the **9th Race August 13, 2021** at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Hecto Aldrete-Bizcarra**, a fine in the amount of **One Thousand Dollars, (1,000.00)**. This fine is to be paid on or before **September 13, 2021** in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is August 25, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-67**
Track: Ruidoso Downs
Ruling Date: 8/17/2021

Licensee: **WOOD, STERLEN TREY**

License Type: 2019 3 Year Trainer Applicant Id: 32499
License Number: 294570

Ruling # 2021-RUI-67

Action Type: Initial Ruling

Ruling:

Trainer: S. Trey Wood was duly notified and waived his right to ten-day notice and his disciplinary hearing before the Board of Stewards on August 17, 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, Omeprazole Sulfide (class 5 penalty category D drug) found in test sample E436833 taken from the 3rd place finisher "Hollyn Bootie" following the 10th race, on July 31, 2021 at Ruidoso Downs Racetrack.

The certificate of analysis indicated a finding of Omeprazole Sulfide at 25.8 ng/ml \pm 1.7 ng/ml at 10 ng/ml in the blood, which exceeds the allowable limit of 10.0 ng/ml in the blood.

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

Mark and Fay Annett McCloy are the owners of "Hollyn Bootie"

For S. Tray Wood's FIRST Class 5 (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) The recommended penalty for a violation involving a drug that carries a category "D" penalty is a written warning to the trainer and owner. Multiple violations may result in fines or suspensions.

(2) There is no change to the official order of finish in the 10th race on July 31, 2021 at Ruidoso Downs Racetrack.

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: August 27, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-68**
Track: Ruidoso Downs
Ruling Date: 8/17/2021

Licensee: MCCLOY, MARK THOMAS
License Type: 2020 3 Year Owner Applicant Id: 8807
License Number: 297866

Ruling # 2021-RUI-68

Action Type: Initial Ruling

Ruling:

Owner: Mark McCloy was duly notified and represented by trainer S. Trey Wood, waived his right to ten-day notice and his disciplinary hearing before the Board of Stewards on August 17, 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, Omeprazole Sulfide (class 5 penalty category D drug) found in test sample E436833 taken from the 3rd place finisher "Hollyn Bootie" following the 10th race, on July 31, 2021 at Ruidoso Downs Racetrack.

The certificate of analysis indicated a finding of Omeprazole Sulfide at 25.8 ng/ml \pm 1.7 ng/ml at 10 ng/ml in the blood, which exceeds the allowable limit of 10.0 ng/ml in the blood.

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

S. Trey Wood is the trainer of "Hollyn Bootie"

For Mark McCloy's FIRST Class 5 (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) The recommended penalty for a violation involving a drug that carries a category "D" penalty is a written warning to the trainer and owner.

Multiple violations may result in fines or suspensions.

(2) There is no change to the official order of finish in the 10th race on July 31, 2021 at Ruidoso Downs Racetrack.

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: August 27, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2021-RUI-69
Track Ruidoso Downs
Ruling Date: 8/17/2021

Licensee: MCCLOY, FAY ANNETT

License Type: Applicant Id: 8799
License Number:

Ruling # 2021-RUI-69

Action Type: Initial Ruling

Ruling:

Owner: Fay Annett McCloy was duly notified and represented by trainer S. Trey Wood, waived her right to a ten-day notice and her disciplinary hearing before the Board of Stewards on August 17, 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, Omeprazole Sulfide (class 5 penalty category D drug) found in test sample E436833 taken from the 3rd place finisher "Hollyn Bootie" following the 10th race, on July 31, 2021 at Ruidoso Downs Racetrack.

The certificate of analysis indicated a finding of Omeprazole Sulfide at 25.8 ng/ml \pm 1.7 ng/ml at 10 ng/ml in the blood, which exceeds the allowable limit of 10.0 ng/ml in the blood.

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

S. Trey Wood is the trainer of "Hollyn Bootie"

For Fay Annett McCloy's FIRST Class 5 (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) The recommended penalty for a violation involving a drug that carries a category "D" penalty is a written warning to the trainer and owner. Multiple violations may result in fines or suspensions.

(2) There is no change to the official order of finish in the 10th race on July 31, 2021 at Ruidoso Downs Racetrack.

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: August 27, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-70**
Track **Ruidoso Downs**
Ruling Date: **8/19/2021**

Licensee: **MEDINA, ALEJANDRO**

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

Ruling # **2021-RUI-70**

Action Type: **Initial Ruling**

Ruling:

Jockey, **Alejandro Medina**, having been summoned and having appeared before the Board of Stewards **on August 14, 2021**, for careless riding during the running of the **9th race on August 13, 2021, at Ruidoso Downs**, while aboard **"Tempting Sass"**. (Drifted out across the track),

For this violation, the Board of Stewards assessed **Alejandro Medina** a fine of \$250.00. This fine is to be paid on or before September 12, 2021, in accordance with **15.2.3.8(B)(3)(I)**. Failure to pay this fine within the prescribed time shall result in immediate 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 August 23, 2021.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-71**
Track **Ruidoso Downs**
Ruling Date: **8/19/2021**

Licensee: **SIMPSON, ALVIN ISAIAH**

License Type: **2021 1 Year Security St Applicant Id: 163769**
License Number: 301906

Ruling # 2021-RUI-71

Action Type: Initial Ruling

Ruling:

Security Staff: Alvin Isaiah Simpson, is hereby summarily suspended, effective immediately, August 19, 2021, pending the outcome of his summary suspension hearing scheduled for August 29, 2021, at 9:00 a.m. in the office of the board of Stewards at Ruidoso Downs Racetrack, 26225 US Hwy 70, Ruidoso Downs, NM 88346, per 15.2.1.9 (B)(3)(b) Summary Suspension. The summary suspension is regarding **Alvin Isaiah Simpson** failing to disclose criminal/arrest history on his licensing application.

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

Licensee is found to be in violation of:

16.47.1.8 (L)(1)(a) GROUNDS FOR DISCIPLINARY MEASURES. The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant has been convicted of a felony.

16.47.1.8 (L)(1)(d) GROUNDS FOR DISCIPLINARY MEASURES The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant has failed to disclose or falsely states any information required in the application;

16.47.1.8(L)(1)(F) CONDUCT The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant has been found to have made false or misleading statements to the commission, stewards, or any racing official

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)(g) STEWARDS AUTHORITY The stewards may order that a person be ineligible for licensing; or they may deny a license to an applicant on grounds set forth in the act or these rules.

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

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

15.2.3.8 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 Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-72**
Track: Ruidoso Downs
Ruling Date: 8/20/2021

Licensee: MOLINAR, AVERY JOSIAH

License Type: Applicant Id: 163830
License Number:

Ruling # 2021-RUI-72

Action Type: Initial Ruling

Ruling:

The Groom's license issued to Avery Josiah Molinar is hereby rescinded as he no longer works in this capacity.

This ruling is written in accordance with:

16.47.1.8 (M)(2) DURATION OF LICENSE: Which states "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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-73**
Track: **Ruidoso Downs**
Ruling Date: **8/20/2021**

Licensee: **NUNEZ-TAPIA, CESAR**

License Type: **Applicant Id: 158582**
License Number:

Ruling # 2021-RUI-73

Action Type: Initial Ruling

Ruling:

Owner, Ceasar Tapia Nunez having been duly notified then failed to appear, and had his hearing held in absentia before the Board of Stewards on **August 20, 2021, at Ruidoso Downs Racetrack**, 26225 US Hwy 70, Ruidoso Downs, NM concerning the re-payment of purse monies owed to the Downs of Albuquerque (DDA) in the amount of \$11,105.85. The horse "Taormina" ran in the 2nd race on August 9, 2020 and the purse money from this race was redistributed.

The Board of Stewards order that any/all New Mexico Racing Commission licenses issued to **Ceasar Tapia Nunez** be immediately suspended starting **August 20, 2021** and that **he** be deemed ineligible for any future licensing in New Mexico until such time that full payment is made to **The Downs at Albuquerque in the amount of \$11,105.85.**

Licensee is found in Violation of:

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

16.47.1.8 (I): Financial Responsibility

This ruling is written in accordance with:

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

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-74**
Track **Ruidoso Downs**
Ruling Date: **8/21/2021**

Licensee: **CORRAL-ALVARADO, DAMIAN**

License Type: **2020 1 Year Jockey** Applicant Id: **32418**
License Number: **299610**

Ruling # **2021-RUI-74**

Action Type: **Initial Ruling**

Ruling:

Jockey **Damian Corral-Alvarado**, having been summoned and appeared before the Board of Stewards on **August 21, 2021**, for **excessive use of whip**, while aboard "**Blonds Have Mo Fun**" in the **1st Race August 20, 2021** at Ruidoso Downs, is found to be in violation of Commission rules.

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

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is September 20, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-75**
Track Ruidoso Downs
Ruling Date: 8/22/2021

Licensee: NAVARRO, ELOY GERARDO

License Type: 2020 3 Year Trainer Applicant Id: 76150
License Number: 297906

Ruling # 2021-RUI-75

Action Type: Initial Ruling

Ruling:

issued in error

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-76**
Track **Ruidoso Downs**
Ruling Date: **8/27/2021**

Licensee: **CALDERON, FRANCISCO**

License Type: **2019 3 Year Jockey** Applicant Id: **35440**
License Number: **294416**

Ruling # **2021-RUI-76**

Action Type: **Initial Ruling**

Ruling:

Jockey **Francisco Calderon**, having been summoned and appeared before the Board of Stewards on **August 27, 2021**, for **excessive use of whip**, while aboard "**Jess Savin Candy**" in the **5th Race August 21, 2021** at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Francisco Calderon**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **September 26, 2021** in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is September 6, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-77**
Track **Ruidoso Downs**
Ruling Date: **8/27/2021**

Licensee: **AYALA, JESUS R**

License Type: **2021 3 Year Jockey** Applicant Id: **160891**
License Number: **300810**

Ruling # **2021-RUI-77**

Action Type: **Initial Ruling**

Ruling:

Jockey **Jesus R Ayala**, having been summoned and appeared before the Board of Stewards on **August 27, 2021**, for **excessive use of whip**, while aboard "**Political Rose**" in the **2nd Race August 21, 2021** at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Jesus R Ayala**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **September 6, 2021** in accordance with **15.2.3.8 (B)(3) (I)**. Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required *

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is September 26, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-78**
Track **Ruidoso Downs**
Ruling Date: **8/27/2021**

Licensee: **CARRILLO, GUADALUPE B**
License Type: **2018 3 Year Owner** Applicant Id: **161528**
License Number: **291973**

Ruling # **2021-RUI-78**

Action Type: **Initial Ruling**

Ruling:

Owner, Guadalupe Carrillo was duly notified and failed to appear so his hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d)**, before the Board of Stewards on **August 28, 2021 at Ruidoso Downs**. The hearing was concerning a court judgment from ESMS Inc. in the amount of \$3,096.29.

The Board of Stewards hereby issues **Guadalupe Carrillo** the following penalty:

A suspension of any/all New Mexico Racing Commission licenses, effective immediate August 27, 2021 , pending payment of money owed in full.

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

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

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

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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-79**
Track: **Ruidoso Downs**
Ruling Date: **8/29/2021**

Licensee: **BURKE, GABRIEL B**
License Type: **2021 1 Year Owner** Applicant Id: **21555**
License Number: **300601**

Ruling # **2021-RUI-79**

Action Type: **Initial Ruling**

Ruling:

Owner: Gabriel B. Burke, having been duly notified and waived his right to a 10-day notice and hearing before the board of stewards on August 27, 2021 re: a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Dexamethasone (a class 4C-Major penalty) found in test sample E436757 taken from the 1st place finisher "Twelve Percent" following the 6th race, on July 25, 2021, at Ruidoso Downs Race Track.

The original lab report indicated a finding of Dexamethasone at 79.4 +/- 0.7 pg/ml in the blood, the allowable limit for Dexamethasone is 5 pg/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 and declined by trainer.
Frankie H. Martinez is the trainer of record for horse "**Twelve Percent**"

Aggravating Circumstances: High level of medication.

1. The horse "**Twelve Percent**", is hereby disqualified from 1st place and ordered unplaced from the 6th race on July 25, 2021, at Ruidoso Downs Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Ratatattat
2. First Apollo Moon
3. Mr. Big
4. Hold Me First
5. Golden Boy Ja

Unplaced Twelve Percent

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/ 15.2.5.13(E)(4)(d) Running of the Race/ 15.2.6.9 MEDICATIONS AND PROHIBITED SUBSTANCES/ 15.2.6.9(L)(3)(o) MEDICATIONS AND PROHIBITED SUBSTANCES Environmental contaminants and substances of human use/15.2.5.14 D. 7 Protests, Objection and Inquiries/ 15.2.6.9(C)(1)(8)(c) Medication Restrictions/ 15.2.6.11 Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U) Protection of Horses/ 16.47.1.10(B)Absolute Insurer/ 15.2.6.9(B)Penalty Recommendation/ 15.2.5.13 E (4) (d) Disqualification and purse distribution.

15.2.1.9(B)(9)(b):Appeal Procedures An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a money order, cashier's check. **Last day for appeal: September 7, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-80**
Track: **Ruidoso Downs**
Ruling Date: **8/27/2021**

Licensee: **RODRIGUEZ, MANUEL RODOLFO**
License Type: **2020 3 Year Trainer** Applicant Id: **9846**
License Number: **300108**

Ruling # 2021-RUI-80

Action Type: Initial Ruling

Ruling:

Trainer/Owner: **Manuel R. Rodriguez**, was duly notified and waived his right to a 10-day notice and hearing before the Board of Stewards on August 22, 2021. The hearing was regarding the confirmed positive for Diclofenac, Dexamethasone and Methocarbamol, a Stacking Drug Class 4 Penalty Class B violation, found in the blood of test sample E413124 taken from the horse "**Azara**", who finished in 5th place in the 11th race on August 1, 2021, at Ruidoso Downs Racetrack, (**Zia Quarter Horse Trials**)

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

MRB Racing LLC (Manuel Rodriguez) is the owner of record for horse **Azara**.

Note: No evidence was presented to disprove the findings of the New Mexico Racing Commission and testing was done in accordance with 15.2.6.10 (B)

Aggravating Factor: Detection of two or more NSAIDS constitutes a Stacking Violation (Penalty Class B) 15.2.6.9 (N)(5)

Mitigating Factor: Multiple positive tests for the same medication prior to delivery of official notice.

The Board of Stewards hereby assess a penalty for **Manuel R. Rodriguez's** 5th Class 4-B medication violation in 365 days, issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

1. A 60-Day suspension of all NMRC licenses January 23, 2021, through March 22, 2022, inclusive. These dates are associated with other rulings and will become effective immediately if those rulings are amended.
2. A (\$2500.00) Two Thousand Five Hundred dollar fine for the Trainer to be paid on or before September 22, 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. A (\$5000.00) Five Thousand dollar fine for being the Owner to be paid on or before September 22, 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.
4. The horse "**Azara**" is hereby disqualified from 2nd place and ordered unplaced from the 8th race (trial) on July 10, 2021, at Ruidoso Downs for all but pari-mutuel wagering.

The purse redistribution is as follows: Trial 11th Race 8/1/2021

- | | |
|-------------------|-----------------------|
| 1. Flashin Fire | 6. Renika |
| 2. Coyboy Zulu | 7. Tickle the Nickel |
| 3. Daddys Mony | 8. Jess Ring the Bell |
| 4. Wine Don't Lie | |
| 5. Long Pour | |

Unplaced: "**Azara**"

5. The horse "**Azara**" is placed on the stewards list for 45 days (8/22/2021 through 10/6/2021) and must pass a commission approved exam before entry.

1. In addition, **Manuel R. Rodriguez** has accumulated "4" points prior to this ruling and "1" point in connection with this ruling for a current total of 5 under the multiple medication violation point system. under the multiple medication violation point system, **Manuel R. Rodriguez** is subject to an additional penalty of 15 days pursuant to section 15.2.6.9 (O)(7) of NMAC. **March 22, 2021 thru April 5, 2021.**

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

Licensee is found in violation of and/or this ruling is written in accordance with: 15.2.6.9 NMAC Attachment #1 ARCI Uniform Classification of Substances-Version 14.4-January 2020, 15.2.6.9(C)(8)(a)(9)(10)(a)(b)(c)(d) Medication Restrictions 15.2.6.9(B)(2) Penalty Recommendations PROTECTION OF HORSES 16.47.1.10(B)(1)(2) Absolute Insurer 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license 15.2.1.8(B)(1) COMMISSION GENERAL AUTHORITY/15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority 16.47.1.8 (A) (1)(2) License Required /16.47.1.8(N) Changes In Application Information / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/

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, cashier's check or a corporate check. **Last date of appeal: September 1, 2021**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-81**
Track: **Ruidoso Downs**
Ruling Date: **8/28/2021**

Licensee: **MARTINEZ, FRANKIE HAROLD**
License Type: **2018 3 Year Trainer** Applicant Id: **16525**
License Number: **291178**

Ruling # 2021-RUI-81

Action Type: Initial Ruling

Ruling:

Trainer: Frankie H. Martinez, having been duly notified and waived his right to a 10-day notice and hearing before the board of stewards on August 25, 2021 re: a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Dexamethasone (a class 4C-Major penalty) found in test sample E436757 taken from the 1st place finisher "Twelve Percent" following the 6th race, on July 25, 2021, at Ruidoso Downs Race Track.

The original lab report indicated a finding of Dexamethasone at 79.4 +/- 0.7 pg/ml in the blood, the allowable limit for Dexamethasone is 5 pg/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 and declined by trainer.

Gabriel B. Burke is the owner of record for horse "Twelve Percent"

Aggravating Circumstances: High level of medication.

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

1. A (\$1,000) One Thousand dollar fine to paid on or before October 28, 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, Frankie H. Martinez has accumulated "0" points prior to this ruling and "1" points in connection with this ruling for a current total of "1", 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. **15.2.6.9 (O)Multiple Medication Violations (MMV):**

A trainer who receives a penalty for a medication violation based upon a horse testing positive for a class 1-5 medication with penalty class A-C, as provided in the version of the ARCI "uniform classification guidelines for foreign substances" listed in 15.2.6.9 NMAC, or similar state regulatory guidelines, shall be assigned.

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 7, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-82**
Track **Ruidoso Downs**
Ruling Date: **8/29/2021**

Licensee: **ENRIQUEZ-ARENIVAS, KEVIN A**
License Type: **2020 3 Year Jockey** Applicant Id: **162686**
License Number: **300132**

Ruling # 2021-RUI-82

Action Type: Initial Ruling

Ruling:

Jockey **Kevin Enriquez-Arenivas**, having been summoned and failed to appear before the Board of Stewards on **August 28, 2021**, for **excessive use of whip**, while aboard "**Vytaliti**" in the **11th Race August 21, 2021** at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Kevin Enriquez-Arenivas**, a fine in the amount of **One Thousand Dollars, (1,000.00)**. This fine is to be paid on or before **September 27, 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:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is September 7, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-84**
Track: **Ruidoso Downs**
Ruling Date: **8/29/2021**

Licensee: **HARRIS, DEZMER JACKSON**

License Type: **2018 3 Year Owner** Applicant Id: **20068**
License Number: **292584**

Ruling # **2021-RUI-84**

Action Type: **Initial Ruling**

Ruling:

Owner: **Dezmer J. Harris** failed to appear before the Board of Stewards on August 28, 2021. The hearing was regarding the confirmed positive of the Drug Class 1 Penalty Class A. drug Oxymorphone, found in test sample E412731 taken from the 1st place finisher, "Feisty Foxey", in the 10th race on June 11, 2021, at Ruidoso Downs Racetrack.

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

Stephanie Esparza, is the trainer of record for the horse "Feisty Foxey".

Aggravating Factor: Oxymorphone is a Zero tolerance drug in New Mexico.

Aggravating Factor: Class 1 Drugs are a Stimulant which has the HIGHEST potential to affect performance

For **Dezmer J. Harris's** FIRST Class 1A medication violation in a LIFETIME the Board of Stewards hereby assess a penalty, issued in accordance with 15.2.6.9 (B)(1) Penalty Recommendations, as follows:

1. The horse "**Feisty Foxey**" is hereby disqualified from 2nd place and ordered unplaced from the 10th race (trial) on June 11, 2021, at Ruidoso Downs for all but pari-mutuel wagering.

The purse redistribution is as follows: Trial 11th Race 8/1/2021

- | | |
|-------------------|---------------------|
| 1. Tee Shot Dolly | 6. Singing Arrow |
| 2. W F La Venada | 7. Better Dialhomme |
| 3. Brandistyled | 8. Spankey Thunder |
| 4. Sassy Queenie | |
| 5. Dani's Cat | |

Unplaced: "**Feisty Foxey**"

2. The horse "**Feisty Foxey**" is placed on the vet's list for 180 days (8/28/2021 through 2/24/2022 and must pass a commission-approved exam before entry.

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, money order or personal check." Last date for appeal: **September 8, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-85**
Track **Ruidoso Downs**
Ruling Date: **9/4/2021**

Licensee: **BASS, PAMELA JEAN**

License Type: **2021 1 Year Pony Perso** Applicant Id: **160934**
License Number: **301637**

Ruling # **2021-RUI-85**

Action Type: **Initial Ruling**

Ruling:

Pony Person: Pamela Jean Bass is hereby summarily suspended, effective immediately September 4, 2021, pending the outcome of her summary suspension hearing scheduled on September 12, 2021 at 10:30 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 Pamela Jean Bass being found in possession of a Injectables for "Veterinary use only" in the barn area on September 4, 2021. During said time of applicable suspension, Pamela Jean Bass 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 Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-86**
Track: Ruidoso Downs
Ruling Date: 9/5/2021

Licensee: KEETON, TOBY L

License Type: 2021 3 Year Trainer Applicant Id: 11966
License Number: 301595

Ruling # 2021-RUI-86

Action Type: Initial Ruling

Ruling:

Trainer: **Toby Keeton**, having been duly notified, waived his right to a 10-day notice and a hearing before the Board Of Stewards on September 5, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, **Isoflupredone** (class 4 penalty C drug) found in test sample **E437084** taken from the **1st place finisher "Charcoal Broiler"** following the 1st race, on August 22, 2021, at Ruidoso Downs Race Track. (Quarter Horse Oaks Trial)

The original lab report indicated a finding of **Isoflupredone in the blood**, (15.2.6.9 Attachment 2).

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

Ronald P. Glass is the owner of record for horse "Charcoal Broiler"

This is Toby Keeton's first Class 4C-Major medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4). The Board of Stewards assessed a penalty as follows:

1. A (\$1000.00) One Thousand dollar fine to paid on or before **October 4, 2021**, in accordance with 15.2.3.8 (B)(3)(I) NMRC. Failure to pay fine in prescribed time will result in an immediate suspension.
2. In addition, Toby Keeton has accumulated "0" points prior to this ruling and "1" points in connection with this ruling for a current total of "1", 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 15, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-87**
Track: Ruidoso Downs
Ruling Date: 9/6/2021

Licensee: GLASS, RONALD P
License Type: 2019 3 Year Owner Applicant Id: 162041
License Number: 294114

Ruling # 2021-RUI-87
Action Type: Initial Ruling
Ruling:

Owner: **Ronald P. Glass**, having been duly notified, waived his right to a 10-day notice and a hearing before the **Board Of Stewards on September 5, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC)**, for a confirmed positive for the drug, **Isoflupredone** (class 4 penalty C drug) found in test sample **E437084** taken from the **1st place finisher "Charcoal Broiler"** following the **1st race, on August 22, 2021, at Ruidoso Downs Race Track.**

The original lab report indicated a finding of **Isoflupredon in the blood**, (15.2.6.9 Attachment 2).
Toby L. Keeton is the trainer of Charcoal Broiler.

For **Ronald P. Glass** 1st 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. The horse "**Charcoal Broiler**" must pass a commission-approved examination before becoming eligible to be entered.
2. The horse "**Charcoal Broiler**", is hereby disqualified from First Place and ordered unplaced from the 1st race on August 22, 2021, at Ruidoso Downs Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1) In My Heart	6. Misscandymountain
2) Kiss Me Susy	7. Saltys Good Candy
3) Bv George Girl	
4) Ember Moon	
5) Rocket Queen V	

Unplaced "**Charcoal Broiler**"

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)

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 for appeal: September 15, 2021.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-88**
Track **Ruidoso Downs**
Ruling Date: **9/6/2021**

Licensee: **RIVAS, JUAN CARLOS**

License Type: **2021 1 Year Jockey** Applicant Id: **30997**
License Number: **300585**

Ruling # **2021-RUI-88**

Action Type: **Initial Ruling**

Ruling:

Jockey Juan Carlos Rivas, having been summoned and appeared before the Board of Stewards on September, 2021, for excessive use of whip, while aboard "MS Lori Darlin" in the 4th Race September 5, 2021 at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, Juan Carlos Rivas, a fine in the amount of One Thousand Dollars, (\$1000.00). This fine is to be paid on or before October 6, 2021 in accordance with 15.2.3.8 (B)(3) (I). Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is September 16, 2021**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2021-RUI-89**
Track **Ruidoso Downs**
Ruling Date: **9/6/2021**

Licensee: **BECERRA, JR SERGIO**

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

Ruling # **2021-RUI-89**

Action Type: **Initial Ruling**

Ruling:

Jockey Sergio Becerra, having been summoned and appeared before the Board of Stewards on September 6, 2021, for excessive use of whip, while aboard "Apoliticalfastprize" in the 9th Race September 5, 2021 at Ruidoso Downs Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, Sergio Becerra, a fine in the amount of One Thousand Dollars, (\$1000.00). This fine is to be paid on or before October 6, 2021 in accordance with 15.2.3.8 (B)(3) (I). Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

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

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

This ruling is written in accordance with:

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is September 16, 2021.**

By Order of The Ruidoso Downs Stewards