



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: **2019 3 Year Trainer** Applicant Id: **96588**
License Number: **297022**

Ruling # 2021-RUI-38
Action Type: Final Outcome
Ruling:

RE: 2021-RUI-38 - Ruling Final Outcome 8/29/21

Trainer: **Stephanie Esparza**, (currently under summary suspension) was duly notified and appeared through her attorney Gene Chavez by telephone 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 Foxy", 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.

Dezmer J. Harres, is the owner of record for the horse "Feisty Foxy".

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 **Stephanie Esparza'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. A 2-year suspension of all NMRC licenses (retroactive from summary suspension) July 16, 2021, through July 15, 2023 inclusive.
2. A (20,000.00) Twenty thousand dollar fine to be paid on or before September 29, 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, **Stephanie Esparza** has accumulated "0" points prior to this ruling and "6" point in connection with this ruling for a current total of "6" under the multiple medication violation point system. under the multiple medication violation point system, **Stephanie Esparza** is subject to an additional penalty of 30 days pursuant to section 15.2.6.9 (O)(7) of NMAC.

Additional Days July 16, 2023, thru August 15, 2023.

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,

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

15.2.6.9 NMAC Attachment #1 ARCI Uniform Classification of Substances-Version 14.0- January 2019 - Albuterol Class A Classification for Quarter horses

15.2.6.9(C)(8)(a)(9)(10)(a)(b)(c)(d) Medication Restrictions, 15.2.6.9(B)(1) Penalty Recommendations

15.2.6.9(C)(4) There is no permissible concentration of Clenbuterol or Albuterol that is allowed to appear in any official sample.

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

15.2.1.8(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)(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. **LAST DAY**

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-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: Final Outcome
Ruling:

Security Staff: Alvin Isaiah Simpson, having been duly notified and failed to appear his hearing was held in absentia before the Ruidoso Downs Board of Stewards on **August 29, 2021**, for failing to disclose criminal/arrest history on his licensing application.

For this violation, the Board of Stewards issue **Alvin Isaiah Simpson** a penalty of the following:
A revocation of any/all New Mexico Racing Commission licenses, effective immediately **August 29, 2021**, and is referred to the New Mexico Racing Commission for their further review prior to any further 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-c) NMAC.

Licensee is found to be in violation of:

16.47.1.8 (L)(1) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE.

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)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of cash, a cashier's check or money order " The last day to file an appeal is September 8, 2021.