



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2021-ZIA-97**  
Track: Zia Park  
Ruling Date: 11/10/2021

Licensee: RIVAS, JUAN CARLOS

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

Ruling # 2021-ZIA-97

Action Type: Initial Ruling

Ruling:

Jockey, Juan Carlos Rivas, having been summoned and having appeared before the Board of Stewards November 9, 2021, for Careless riding during the running of the 1st race on November 7, 2021, at Zia Park Racetrack, while aboard "Apalole". (Drifted in sharply across the racetrack),

For this violation, the Board of Stewards assessed Juan Carlos Rivas a fine of \$250.00 and suspended him for 7 days from the dates November 9, 2021 through November 15, 2021. Juan Carlos Rivas will be permitted to ride in designated race during the period of suspension. This fine is to be paid on or before December 10, 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 November 19, 2021.

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: **2021-ZIA-98**  
Track: Zia Park  
Ruling Date: 11/10/2021

Licensee: LEYVA, JOEL

License Type: 2020 3 Year Jockey      Applicant Id: 163131  
License Number: 299413

Ruling # 2021-ZIA-98

Action Type: Initial Ruling

Ruling:

Jockey Joel Leyva, having been summoned and appeared before the Board of Stewards on November 9, 2021, for excessive use of whip, while aboard "Last Call Senorita" in the 3d Race November 8, 2021 at Zia Park Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, Joel Leyva, a fine in the amount of Five Hundred dollars, (\$500.00). This fine is to be paid on or before December 9, 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 Action15.2.3.8 B (3)(A) Stewards Disciplinary Action15.2.3.8 B (1) (d) Stewards General Authority  
16.47.1.8. T. KNOWLEDGE OF RULES:16.47.1.3 Statutory Authority16.47.1.8 (A)(1) License Required16.47.1.8 (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 November 19, 2021.

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: **2021-ZIA-99**  
Track Zia Park  
Ruling Date: 11/14/2021

Licensee: CONSTANT, RONALD ALPHON

License Type: 2020 1 Year Trainer      Applicant Id: 14841  
License Number: 300166

Ruling # 2021-ZIA-99

Action Type: Initial Ruling

Ruling:

Trainer, Ronald A. Constant is hereby summarily suspended, effective immediately, November 14, 2021 pending the outcome of his summary suspension hearing scheduled for November 21, 2021 at 9: 30 a.m. in the office of the board of Stewards at Zia Park Racetrack (3901 W. Millen Dr. Hobbs, NM 88240.), per 15.2.1.9 (B)(3)(b) Summary Suspension. The summary suspension is regarding the confirmed positive of the Class 3 Quarter Horse Penalty A drug, Albuterol, found in test sample E482716 taken from the Quarter Horse "Abby Zoomin", who finished in 3rd place in the 5th race on October 26, 2021, at Zia Park Racetrack.

**There is no permissible concentration of Albuterol allowed to appear in any official sample.**

In accordance with 15.2.1.9 (C)(21), Ronald A. Constant 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 Ronald A. Constant 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 Ronald A. Constant 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 ruling written in accordance with: Licensee is found in violation of and this ruling is written in accordance with:*  
15.2.6.9 NMAC Attachment #1 ARCI Uniform Classification of Substances-Version 14.4-December 2020-Clenbuterol 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 15.2.1.7(C)(8) "Controlled substance" is any substance included in the five classification schedules of the (U.S.) Controlled Substance Act of 1970. 15.2.6.9(C)(4) There is no permissible concentration of clenbuterol 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 15.2.1.9(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

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: **2021-ZIA-100**  
Track Zia Park  
Ruling Date: 11/14/2021

Licensee: **CONSTANT, RONALD ALPHON**

License Type: **2020 1 Year Assistant S Applicant Id: 14841**  
**License Number: 300246**

Ruling # 2021-ZIA-100

Action Type: Initial Ruling

Ruling:

**The Assistant Starter license issued to Ronald Constant is hereby rescinded, having terminated employment and no longer working in this licensed capacity.**

**This ruling is in accordance with:**

**16.47.1.8 (M)(2):** 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 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 Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
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Ruling #: **2021-ZIA-101**  
Track **Zia Park**  
Ruling Date: **11/15/2021**

Licensee: **IBARRA, SERGIO A.**

License Type: **2019 3 Year Trainer**      Applicant Id: **18206**  
License Number: **295490**

Ruling # **2021-ZIA-101**

Action Type: **Initial Ruling**

Ruling:

**Trainer: Sergio A. Ibarra**, having been duly notified and appeared telephonically and waived his right to a hearing before the **Board Of Stewards on November 15, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC)**, for a confirmed positive for the drug, **Stanozolol** (class 3 penalty B drug) found in test sample **E464743** taken from the **1st place finisher "Don't Get No Betta"** following the **2nd race, on September 18, 2021 at Albuquerque Downs Race Track.**

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

Split sample rights as provided in **15.2.6.10 (D) NMAC**, were afforded to trainer, and declined.  
**Adriana Rodriquez** is the owner of record for the horse **"Don't Get No Betta"**

Aggravating factor: Other Medication Violations in previous year.

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

- 1. A 30-day suspension of all NMRC licenses starting November 15, 2021, through December 15, 2021 inclusive.**
- 2. A (\$750.00) Seven Hundred Fifty Dollar fine to be paid on or before December 15, 2021** in accordance with **15.2.3.8 (B)(3)(I)**. Failure to pay fine in prescribed time will result in immediate suspension.
- 3. In addition, Sergio A. Ibarra has accumulated "0" points prior to this ruling and "4" points in connection with this ruling for a current total of "4", under the multiple medication violation point system. Per 15.2.6.9 (O)((7)**

During said time of applicable suspension **Sergio A. Ibarra** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with **15.2.1.9 (C)(21)**. Additionally, effective upon applicable suspension dates, all horses **owned, trained, or under the care of Sergio A. Ibarra** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses trained by, owned by, or in the care and custody of **Sergio A. Ibarra** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances**.

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

**15.2.1.9(B)(9)(b): Appeal Procedures** Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$500. The fee must be in the form of money order or cashier's check. The last day to file an appeal date November 25, 2021.



New Mexico Racing Commission  
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Ruling #: 2021-ZIA-102  
Track Zia Park  
Ruling Date: 11/16/2021

Licensee: POBLANO, JUAN ERNESTO  
License Type: 2019 3 Year Owner      Applicant Id: 35356  
License Number: 296113

Ruling # 2021-ZIA-102

Action Type: Initial Ruling

**Ruling:**

Owner **Juan Poblano** was duly notified and appeared with his trainer before the Board of Stewards on November 15, 2021. The hearing was regarding the confirmed positive of the Drug Class 3 Penalty Class A (Quarter Horses), Controlled Substance, Clenbuterol, found in the urine, test sample E436942 taken from the horse "**Boksa Crickets**", who finished in 1st place in the 5th race on August 13, 2021, at Ruidoso Downs Racetrack.

Split sample rights were provided per 15.2.6.10 (D) NMAC, and confirmed by Kenneth L. Maddy Equine Laboratory.  
15.2.6.9(C)(4) There is no permissible concentration of Clenbuterol that is allowed to appear in any official sample.

Jose Daniel Urista, is the trainer of record for the horse "**Boksa Crickets**".

**Aggravating factor: The drug "Clenbuterol" is a controlled substance in New Mexico.**

**Aggravating factor: The potential of this drug to influence a horse's performance.**

For **Juan Poblano'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 "**Boksa Crickets**" is on the veterinarian's list for 180 days (November 15, 2021 to May 14, 2022) and must pass a commission-approved examination before becoming eligible to be entered.
2. The horse "**Boksa Crickets**", is hereby disqualified from 1st place and ordered unplaced from the 5th race on August 13, 2021, at Ruidoso Downs Racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.
  - 1) Flash Me to the Moon
  - 2) Chick Kisser
  - 3) Lifes a Dance
  - 4) Ima Big Time Eagle

Unplaced "**Boksa Crickets**"

**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: November 26, 2021.**

By Order of The Zia Park Stewards



New Mexico Racing Commission  
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Ruling #: **2021-ZIA-103**  
Track Zia Park  
Ruling Date: 11/16/2021

Licensee: URISTA, JOSE DANIEL

License Type: Applicant Id: 24177  
License Number:

Ruling # 2021-ZIA-103

Action Type: Initial Ruling

Ruling:

issued in error

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2021-ZIA-104**  
Track **Zia Park**  
Ruling Date: **11/16/2021**

Licensee: **RODRIGUEZ DE QUINTANA, ADRIANA**

License Type: **Applicant Id: 159635**  
**License Number:**

Ruling # 2021-ZIA-104

Action Type: Initial Ruling

Ruling:

Owner, Ms Adriana Rodriguez De Quintana, having been duly notified and appeared telephonically and was represented by her Trainer, Sergio Ibarra waived his right to a hearing before the **Board Of Stewards on November 15, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Stanazolol (class 3 penalty B drug) found in test sample E464743 taken from the 1st place finisher "Don't Get No Betta" following the 2nd race, on September 18, 2021 at Albuquerque Downs Race Track.**

The original lab report indicated a finding of Stanazolol in the urine (15.2.6.9 Attachment 2). Spilt sample rights as provided in 15.2.6.10(D) NMAC, were afforded to the Trainer, and declined. Adriana Rodriguez is the owner of record for the horse " Don't Get No Betta".

The Board of Stewards hereby assess a penalty, issued in accordance with 15.2.6.9(B)(2) Penalty recommend, as follows:

For the owner, Ms Adriana Rodriguez's first Class 3B medication violation in a 365-day period the Board of Stewards assess a penalty in accordance with 15.2.6.9(B)(2) penalty recommended as follows:

(1) The horse "Don't Get No Betta" must pass a commission approved examination before being eligible to enter.

(2) The horse "Don't Get No Betta" is hereby disqualified from first place ordered unplaced from the second race on September 18, 2021 at The Downs in Albuquerque for all but pari-mutuel wagering. The purse redistribution is as follows:

- |                           |                          |
|---------------------------|--------------------------|
| 1. (2) Mountain Vike      | 6. (11) Mr P A           |
| 2. (7) Ranger Walker Dyer | 7. (4) My Regards to You |
| 3. (8) First Good Candy   | 8. (6) Pj Oceana         |
| 4. (9) Willie Wanna Rush  |                          |

5.(1) Genuine Anson un-placed "Don't Get No Betta"

15.2.1.9(B)(9)(b): Appeal Procedures ; 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 a 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 of \$500.00 dollars. The fee must be in a form of a money order or cashiers check. The last day to file a appeal is on November 26, 2021.

By Order of The Zia Park Stewards





New Mexico Racing Commission  
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Ruling #: 2021-ZIA-105  
Track Zia Park  
Ruling Date: 11/16/2021

Licensee: PURCELL, KELSIE KELSO

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

Ruling # 2021-ZIA-105

Action Type: Initial Ruling

Ruling:

Jockey **Kelsi Purcell**, having been summoned and appeared before the Board of Stewards on **November 16, 2021**, for **excessive use of whip**, while aboard "**Impeaching**" in the **7th Race November 14, 2021** at Zia Park Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Kelsi Purcell**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **December 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 November 26, 2021.**

By Order of The Zia Park Stewards



New Mexico Racing Commission  
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Ruling #: **2021-ZIA-106**  
Track: **Zia Park**  
Ruling Date: **11/22/2021**

Licensee: **MORALES-FLORES, JORGE A.**

License Type: **2019 3 Year Trainer**      Applicant Id: **34023**  
License Number: **293667**

Ruling #      2021-ZIA-106

Action Type:      Initial Ruling

Ruling:

Trainer: Jorge A. Morales-Flores; having been duly notified and appeared before the Board Of Stewards on November 21, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Flunixin (class 4 penalty C class) at 53.4ng/ml exceeding the limit of 5 ng/ml, found in test sample E482773 taken from the 1ST place finisher "Dashin Approach" following the 3RD race, on November 1, 2021, at Zia Park Racetrack.

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

George and Peggy Cobb are the owners of record for horse "Dashin Approach"

For Jorge A. Morales-Flores's FIRST Class 4C-Major 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 be paid on or before December 22, 2021, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay a fine in prescribed time will result in an immediate suspension.
2. In addition, Jorge A. Morales-Flores has accumulated "0" points prior to this ruling and "0.5" points in connection with this ruling for a current total of "0.5", under the multiple medication violation point system.
3. The horse "Dashin Approach" must pass a commission-approved examination before becoming eligible to be entered.
4. The horse "Dashin Approach", is hereby disqualified from 1ST Place and ordered unplaced from the 3RD race on November 1, 2021, at Zia Park Racetrack, for all but pari-mutuel wagering.

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. 15.2.5.13(E)(4)(d) NMAC Which states in pertinent part that "The Stewards may determine that a horse shall be unplaced for the purpose of the purse distribution."

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: December 1, 2021

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Ruling #: **2021-ZIA-108**  
Track: **Zia Park**  
Ruling Date: **11/22/2021**

Licensee: **COBB, PEGGY JEAN**

License Type: **5408**  
Applicant Id: **5408**  
License Number:

Ruling # **2021-ZIA-108**

Action Type: **Initial Ruling**

Ruling:

Owner: **Peggy Cobb**, having been duly notified and having waived her right to a hearing before the Board Of Stewards on **November 21, 2021**, regarding a lab report from Industrial Laboratories (the official testing laboratory for the NMRC), for a confirmed positive for the therapeutic drug, Flunixin (class 4 penalty category C drug) found in test sample **E482773** taken from the horse "**Dashin Approach**" following **the 3RD race, on November 1, 2021 at Zia Park Racetrack**.

The original lab report indicated a finding of Flunixin at **53.4 ng/ml in the blood, which exceeds the allowable limit of 5 ng/ml in the blood**. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **trainer Jose A. Morales-Flores for the horse "Dashin Approach"**.

In accordance with 15.2.6.9 (B)(3) NMAC, **this is Peggy Cobb's FIRST Class 4-C violation**

For this **FIRST Class 4-C medication violation** issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assesses **Peggy Cobb** a penalty as follows:

1. The horse "**Dashin Approach**" must pass a commission-approved examination before becoming eligible to be entered.
2. The horse "**Dashin Approach**", is hereby disqualified from 1ST Place and ordered unplaced from the 3RD race on November 1, 2021, at Zia Park racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows.

1. Chicksbabycartel	6. Holland Rock
2. Cowboy Zulu	7. Ed N Otis
3. Daddys Mony	8. Jaunt
4. El Quemadito	9. Rocasolida Esperance
5. Papi Grande Cartel	

Unplaced "**Dashin Approach**"

**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. **15.2.5.13(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."**

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: December 1, 2021.**

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2021-ZIA-109**  
Track: **Zia Park**  
Ruling Date: **11/22/2021**

Licensee: **MORALES-FLORES, JORGE A.**

License Type: **Applicant Id: 34023**  
**License Number:**

Ruling # 2021-ZIA-109

Action Type: Initial Ruling

Ruling:

Trainer, Jorge A. Morales-Flores having been duly notified, and appeared before the **Board of Stewards on November 21, 2021, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Flunixin (class 4 penalty C drug) found in test sample E482774 taken from the 2nd place finisher "CHICKSBABYCARTEL" following the 3rd race, on November 01, 2021, at the Zia Park Race Track.**

The original lab report indicated a finding of **Flunixin confirmed** in the blood at 83.09 ng/ml exceeding the threshold of 5 ng/mL. **(15.2.6.9 Attachment 2).**

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

**Aldai Transport (Alfonso Gomez Et Al) and Leon, Samuel** is the owner of record for the horse **"Chicksbabycartel"**

**No evidence was presented to disprove the findings of the NMRC.**

**Aggravating Factor: Multiple Drug Violations within a short period of time.**

For **Jorge A. Morales-Flores** 2nd Class 4-C medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4), the Board of Stewards assess a penalty as follows:

1. **A (\$1500.00) One Thousand Five Hundred dollar fine to paid on or before December 21, 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, **Jorge A. Morales-Flores** has accumulated "0.5" points prior to this ruling and "0.5" points in connection with this ruling for a current total of "1.0", under the multiple medication violation point system. Per 15.2.6.9 (O)(7)

In accordance with 15.2.1.9 (C)(21), **Jorge A. Morales-Flores** is hereby suspended for a period of fifteen (15) days starting on November 30th, 2021 thru December 15th, 2021. Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care of **Jorge A. Morales-Flores** 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 **Jorge A. Morales-Flores** must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances,

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

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: December 2, 2021.



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2021-ZIA-110**  
Track: Zia Park  
Ruling Date: 11/22/2021

Licensee: GOMEZ, ALFONSO  
License Type: 2020 3 Year Owner      Applicant Id: 157787  
License Number: 297857

Ruling # 2021-ZIA-110

Action Type: Initial Ruling

Ruling:

Owner: Alkia Transport' (Alfonso Gomez Et Al) having been duly notified and having waived his right to a hearing before the Board Of Stewards on **November 21, 2021**, regarding a lab report from Industrial Laboratories (the official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Flunixin (class 4 penalty category C drug) found in test sample E482774 taken from the horse "Chicksbabcartel" following **the 3RD race, on November 1, 2021 at Zia Park Racetrack.**

The original lab report indicated a finding of Flunixin at **83.9 ng/ml in the blood, which exceeds the allowable limit of 5 ng/ml in the blood.** Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by trainer Jose A. Morales-Flores is the Trainer of record for horse "Chicksbabcartel".

In accordance with 15.2.6.9 (B)(3) NMAC, **this is Alfonso Gomez's FIRST Class 4-C violation**

For this **FIRST Class 4-C medication violation** issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assesses Alfonso Gomez a penalty as follows:

1. The horse "Chicksbabcartel" must pass a commission-approved examination before becoming eligible to be entered.
2. The horse "Chicksbabcartel", is hereby disqualified from 2nd Place and ordered unplaced from the 3RD race on November 1, 2021, at Zia Park racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows:

- 1) Cowboy Zulu
  - 2) Daddys Mony
  - 3) El Quemadito
  - 4) Papi Grande Cartel
  - 5) Holland Rock
  - 6) Ed N Otis
  - 7) Jaunt
  - 8) Rocasolida Esperance
- Unplaced "Chicksbabcartel"

**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. **15.2.5.13(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."**

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: December 1, 2021.**

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2021-ZIA-111**  
Track: **Zia Park**  
Ruling Date: **11/22/2021**

Licensee: **SALCEDO, MAURO**  
License Type: **2019 3 Year Jockey**      Applicant Id: **137075**  
License Number: **293014**

Ruling #            2021-ZIA-111

Action Type:      Initial Ruling

Ruling:

Jockey **Mauro Salcedo**, having been summoned and appeared before the Board of Stewards on **November 22, 2021**, for **excessive use of whip**, while aboard "**Southerns Patriot**" in the **1st Race November 21, 2021** at Zia Park Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Mauro Sacedo**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **December 22, 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 December 2, 2021.**

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2021-ZIA-112**  
Track **Zia Park**  
Ruling Date: **11/22/2021**

Licensee: **NIETO-HINOJOSA, APOLONIO**  
License Type: **2018 3 Year Jockey**      Applicant Id: **34112**  
License Number: **292497**

Ruling # **2021-ZIA-112**

Action Type: **Initial Ruling**

Ruling:

Jockey **Apolonio Nieto-Hinojosa (AKA Paul Nieto)**, having been summoned and appeared before the Board of Stewards on **November 22, 2021**, for **excessive use of whip**, while aboard "**Cashmere and Beer**" in the **1st Race November 21, 2021** at Zia Park Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, a fine in the a **Apolonio Nieto-Hinojosa (AKA Paul Nieto)**, mount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **December 22, 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 December 2, 2021.**

By Order of The Zia Park Stewards





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2021-ZIA-113**  
Track: Zia Park  
Ruling Date: 11/23/2021

Licensee: LEON, SAMUEL

License Type: 2021 3 Year Owner      Applicant Id: 163635  
License Number: 301306

Ruling # 2021-ZIA-113

Action Type: Initial Ruling

Ruling:

Owner Leon Samuel having been duly notified and having waived his right to a hearing before the Board Of Stewards on **November 21, 2021**, regarding a lab report from Industrial Laboratories (the official testing laboratory for the NMSRC), for a confirmed positive for the therapeutic drug, Flunixin (class 4 penalty category C drug) found in test sample **E482774** taken from the horse "**Chicksbabycartel**" following **the 3RD race, on November 1, 2021 at Zia Park Racetrack.**

The original lab report indicated a finding of Flunixin at **83.9 ng/ml in the blood, which exceeds the allowable limit of 5 ng/ml in the blood.** Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to and declined by **trainer Jose A. Morales-Flores for the horse "Chicksbabycartel"**.

In accordance with **15.2.6.9 (B)(3) NMAC, this is Leon Samuel's FIRST Class 4-C violation**

For this **FIRST Class 4-C medication violation** issued in accordance with 15.2.6.9 (C)(2)(b) NMAC, the Board of Stewards assesses **Leon Samuel a penalty as follows:**

1. The horse "**Chicksbabycartel**" must pass a commission-approved examination before becoming eligible to be entered.
2. The horse "**Chicksbabycartel**", is hereby disqualified from 2nd Place and ordered unplaced from the 3RD race on November 1, 2021, at Zia Park racetrack, for all but pari-mutuel wagering. The purse redistribution is as follows:

- 1) Cowboy Zulu
  - 2) Daddys Mony
  - 3) El Quemadito
  - 4) Papi Grande Cartel
  - 5) Holland Rock
  - 6) Ed N Otis
  - 7) Jaunt
  - 8) Rocasolida Esperance
- Unplaced "**Chicksbabycartel**"

**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. **15.2.5.13(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."**

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: December 1, 2021.**

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2021-ZIA-114**  
Track **Zia Park**  
Ruling Date: **11/23/2021**

Licensee: **NIETO-HINOJOSA, APOLONIO**  
License Type: **2018 3 Year Jockey** Applicant Id: **34112**  
License Number: **292497**

Ruling # **2021-ZIA-114**

Action Type: **Initial Ruling**

Ruling:

Jockey **Apolonio Nieto-Hinojosa (AKA Paul Nieto)**, having been summoned and his agent appeared before the Board of Stewards on **November 23, 2021**, for **excessive use of whip**, while aboard **"Anguz Cruz"** in the **3d Race November 22, 2021** at Zia Park Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, a fine in the a **Apolonio Nieto-Hinojosa (AKA Paul Nieto)**, mount of **One Thousand dollars, (\$1000.00)**. This fine is to be paid on or before **December 23, 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 December 3, 2021.**

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2021-ZIA-115  
Track Zia Park  
Ruling Date: 11/28/2021

Licensee: NEGRON, LUIS A

License Type: 2021 1 Year Jockey      Applicant Id: 161905  
License Number: 302703

Ruling # 2021-ZIA-115

Action Type: Initial Ruling

Ruling:

Jockey, Luis A Negron, having been summoned and having appeared before the Board of Stewards November 28, 2021, for Careless Riding during the running of the 5th race on November 23, 2021, at Zia Park Racetrack, while aboard "Competitive Idea". (Drifted out across the racetrack interfering with a horse),

For this violation, the Board of Stewards assessed Luis A Negron a fine of \$500. This fine is to be paid on or before December 28, 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 a cashier's check, or money order." The last day to file an appeal is December 8, 2021.

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2021-ZIA-116  
Track Zia Park  
Ruling Date: 11/29/2021

Licensee: SIGALA, ALFREDO S.

License Type: 2018 3 Year Jockey      Applicant Id: 158216  
License Number: 292466

Ruling # 2021-ZIA-116

Action Type: Initial Ruling

Ruling:

Jockey, Alfredo S Sigala, having been summoned and having appeared before the Board of Stewards November 29, 2021, for Careless Riding during the running of the 1st race on November 23, 2021, at Zia Park Racetrack, while aboard "Keep Royal Secrets". (Drifted out across the racetrack under left handed whipping interfering with a horse),

For this violation, the Board of Stewards assessed Alfredo S Sigala a fine of \$500. This fine is to be paid on or before December 29, 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, a cashier's check, or money order." The last day to file an appeal is December 9, 2021.

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2021-ZIA-117  
Track Zia Park  
Ruling Date: 12/6/2021

Licensee: ARMSTRONG, SHERRY JANICE  
License Type: 2021 3 Year Trainer Applicant Id: 12796  
License Number: 301402

Ruling # 2021-ZIA-117

Action Type: Initial Ruling

Ruling:

Trainer: Sherry Armstrong appeared before the Zia Park Board of Stewards on Saturday December 4, 2021, beginning at 10:00 am MST to consider the following: The Horse "McMissy" running at the DAA on August 22, 2020, Race 7 and September 16, 2020, Race 3 in place of the horse "McCirca" who was the horse that was named on the official program.

This hearing was to determine whether Sherry Armstrong has violated 15.2.5.12 (A)(4) Horse Ineligible, 15.2.6.11 (E)(I) Trainer Responsibility, 16.47.1.8 (L)(e)(i) GENERAL PROVISIONS, 16.47.1.8. T. Knowledge of Rules, 16.47.1.10 TRAINERS (C)(5) and whether a penalty or other disciplinary action should be imposed.

Aggravating factor: Sherry Armstrong did not properly identify the horse upon arrival.

Aggravating factor: Failure to notify the NMRC when aware of the incident.

Mitigating factor: The horse "McMissy" arrived at Sherry Armstrong's barn identified by tag as "McCirca"

Mitigating factor: The horse "McMissy" was not properly identified by the Vet administering Lasix.

Mitigating factor: The horse "McMissy" was not properly identified by the track identifier.

Note: No evidence was presented to disprove the findings of the New Mexico Racing Commission.

The Board of Stewards hereby assess a penalty for Sherry Armstrong's first violation in this category issued in accordance with 15.2.3.8 (B) General Authority, as follows:

1. A suspension of 15 days from December 15, 2021, thru December 30, 2021. During said time of applicable suspension Sherry Armstrong is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, in accordance with 15.2.1.9 (C)(21). Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care of Sherry Armstrong are ineligible to be entered or start in any race in this jurisdiction, per 15.2.1.9 (C)(21)(c). All transfers and sales of horses trained by, owned by, or in the care and custody of Sherry Armstrong must be done in accordance with 15.2.6.9 A (12) NMRC: Procedures shall be established to ensure that a licensed trainer is not able to benefit financially during the period for which the individual has been suspended.

2. A (2,000.00) Two thousand dollar fine to be paid on or before January 6, 2022, 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.

Licensee is found in violation of and this ruling is written in accordance with: NMRC 15.2.3.8 B. (1) (3) (f) (g) (j) STEWARDS:

General Authority. The stewards for each meeting shall be responsible to the commission for the conduct of the race meeting in accordance with the laws of this state and these rules. (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission. 15.2.5.12 A (4) HORSES INELIGIBLE: (A) A horse shall be ineligible to start in a race when it has been fraudulently entered or raced in any jurisdiction under a different name. 15.2.6.11 E (1) TRAINER RESPONSIBILITY: The purpose of this subsection is to identify responsibilities of the trainer that pertain specifically to the health and wellbeing of horses in their care. (E) Additionally, with respect to horses in their care or custody, the trainer is responsible for the proper identity, custody, care, health, condition and safety of horses; 16.47.1.8 GENERAL PROVISIONS: (L) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license: If (e) has been found in violation of rules governing racing in this state or other jurisdictions; (i) 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; 16.47.1.8. T KNOWLEDGE OF RULES:

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: December 16, 2020



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2021-ZIA-118**  
Track **Zia Park**  
Ruling Date: **12/6/2021**

Licensee: **LARUE, KENNETH MIKE**

License Type: **2021 1 Year Horse Iden** Applicant Id: **16503**  
License Number: **302247**

Ruling # **2021-ZIA-118**

Action Type: **Initial Ruling**

Ruling:

**Horse Identifier/Paddock Judge: Kenneth Mike LaRue**, having been duly notified, and failed to appear before the Board of Stewards on **December 4, 2021**, and had **his** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, concerning failure to conduct his duties in the proper manner, allowing The Horse "McMissy" running at the DAA on August 22, 2020, Race 7 and September 16, 2020, Race 3 in place of the horse "McCirca" who was the horse that was named on the official program.

Aggravating factor: Failure to notify the NMRC when aware of the incident.

Aggravating factor: The horse "McCirca" was not properly identified by **Kenneth Mike LaRue**

Aggravating factor: Multiple violations of misidentification by **Kenneth Mike LaRue**

**Kenneth Mike LaRue is found in violation of:**

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

1. For this rule violation, the Board of Stewards assessed **Kenneth Mike LaRue** a penalty of a fine in the amount of \$5000.00 (Five Thousand Dollars). This fine is to be paid on or before **January 6, 2022** in accordance with 15.2.3.8(B)(3)(I) NMRC. Failure to pay the fine within the time prescribed will result in immediate suspension.

2. **Kenneth Mike LaRue is not able to be licensed as an official (as described in 15.2.3.8 (A)) in the state of New Mexico.**

**This ruling is written in accordance with:**

**15.2.3.8 B (3)(f) Stewards Disciplinary Action**

**15.2.3.8 B (3)(a) Stewards Disciplinary Action**

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

**16.47.1.8. T. KNOWLEDGE OF RULES: 16.47.1.3 Statutory Authority, 16.47.1.8 (A)(1) License Required, 16.47.1.8 (A)(2) License Required 16.47.1.8(N) Last Known Address**

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

**Last Date for appeal: December 16, 2021**

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2021-ZIA-119**  
Track: Zia Park  
Ruling Date: 12/6/2021

Licensee: **SARMIENTO, RIGO A**

License Type: 2021 1 Year Jockey      Applicant Id: 163809  
License Number: 302098

Ruling # 2021-ZIA-119

Action Type: Initial Ruling

Ruling:

Jockey, **Rigo A Sarmiento**, having been summoned and having appeared before the Board of Stewards **December 6, 2021**, for Careless Riding during the running of the **10th race on November 30, 2021 at Zia Park Racetrack**, while aboard **"Seven Rooney"**. (Drifted in across the racetrack interfering with a horse),

For this violation, the Board of Stewards assessed **Rigo A Sarmiento** a fine of \$250. This fine is to be paid on or before January 5, 2022 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 December 16, 2021.

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2021-ZIA-120**  
Track **Zia Park**  
Ruling Date: **12/6/2021**

Licensee: **GUEVARA, RENE**

License Type: **2020 1 Year Jockey**      Applicant Id: **159986**  
License Number: **300208**

Ruling # **2021-ZIA-120**

Action Type: **Initial Ruling**

Ruling:

Jockey **Rene A Guevarra**, having been summoned and appeared before the Board of Stewards on **December 6, 2021**, for **excessive use of whip**, while aboard "**Mallone**" in the **4th Race November 29, 2021** at Zia Park Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Rene A Guevara**, a fine in the amount of **Five Hundred dollars, (\$500.00)**. This fine is to be paid on or before **January 5, 2022** 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 December 16, 2021.**

By Order of The Zia Park Stewards





New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2021-ZIA-121  
Track Zia Park  
Ruling Date: 12/6/2021

Licensee: MCKENNA, TOM ROSS

License Type: 2020 3 Year Owner      Applicant Id: 12492  
License Number: 297830

Ruling # 2021-ZIA-121

Action Type: Initial Ruling

Ruling:

**Owner, Judge Lanier Racing (Tom McKenna et al)** having been duly notified, and failed to appear before the Board of Stewards on **December 4, 2021**, and had **his** hearing held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, concerning failure to conduct his duties in the proper manner, allowing The Horse "McMissy" running at the DAA on August 22, 2020, Race 7 and September 16, 2020, Race 3 in place of the horse "McCirca" who was the horse that was named on the official program.

**Aggravating factor: Failure to notify the NMRC when made aware of the incident.**

**Aggravating factor: The horse "McMissy" arrived at Sherry Armstrong's barn misidentified by a tag as "McCirca"**

**Note: No evidence was presented to disprove the findings of the New Mexico Racing Commission.**

The Board of Stewards hereby assesses a penalty for **Judge Lanier Racing (Tom McKenna et al)**'s first violation in this category issued in accordance with 15.2.3.8 (B) General Authority, as follows:

1. A (2,000.00) Two thousand dollar fine to be paid on or before January 6, 2022, 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.
2. The horse "McCirca", is hereby disqualified and ordered unplaced from the following races at Albuquerque Downs Racetrack, for all but pari-mutuel wagering. The purse redistributions are as follows.

Race 7, August 22, 2020, ABQ

Race 3, September 16, 2020, ABQ

- |                     |                      |
|---------------------|----------------------|
| 1. Seemoreprofit    | 5. Say Hello to Heat |
| 2. She Can Roll     | 6. My Little River   |
| 3. Misty B Canyon   | 7. Double Storm      |
| 4. Jennas Storm R F |                      |

- |                  |                    |
|------------------|--------------------|
| 1. Pink Sky      | 5. Lady Black Jack |
| 2. Movin' On Bye | 6. Attilas Gal     |
| 3. Wages         | 7. Misty B Canyon  |
| 4. Sweet Parting | 8. Very Cherry     |

Unraced:: McCirca      DID NOT RUN

Unraced      McCirca      DID NOT RUN

**This ruling is written in accordance with:**

**15.2.3.8 B (3)(f) Stewards Disciplinary Action**

**15.2.3.8 B (3)(a) Stewards Disciplinary Action**

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

**16.47.1.8. T. KNOWLEDGE OF RULES: 16.47.1.3 Statutory Authority, 16.47.1.8 (A)(1) License Required, 16.47.1.8 (A)(2) License Required**

**16.47.1.8(N) Last Known Address, 15.2.5.13 E (4) (d) Disqualification and purse distribution.**

**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: December 16, 2021



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2021-ZIA-122  
Track Zia Park  
Ruling Date: 12/6/2021

Licensee: CORDOVA, OSCAR

License Type: 2021 3 Year Jockey      Applicant Id: 31477  
License Number: 302725

Ruling # 2021-ZIA-122

Action Type: Initial Ruling

Ruling:

Jockey Oscar Cordova, having been summoned and appeared before the Board of Stewards on December 6, 2021, for excessive use of whip, while aboard "Toro O Nada" in the 2nd Race December 5, 2021 at Zia Park Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, Oscar Cordova, a fine in the amount of Five Hundred dollars, (\$500.00). This fine is to be paid on or before January 5, 2022 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 December 16, 2021.**

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2021-ZIA-123  
Track Zia Park  
Ruling Date: 12/6/2021

Licensee: DOMINGUEZ, SERGIO G

License Type: 2019 3 Year Jockey      Applicant Id: 86326  
License Number: 294445

Ruling # 2021-ZIA-123

Action Type: Initial Ruling

Ruling:

Jockey Sergio G Dominguez, having been summoned and appeared before the Board of Stewards on December 6, 2021, for excessive use of whip, while aboard "Un Principe" in the 1st Race November 29, 2021 at Zia Park Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, Sergio G Dominguez, a fine in the amount of Five Hundred dollars, (\$500.00). This fine is to be paid on or before January 5, 2022 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 December 16, 2021.**

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2021-ZIA-124  
Track Zia Park  
Ruling Date: 12/6/2021

Licensee: GARCIA-LUNA, FELIPE D  
License Type: 2021 3 Year Jockey Applicant Id: 30961  
License Number: 302530

Ruling # 2021-ZIA-124

Action Type: Initial Ruling

Ruling:

Jockey **Felipe D Garcia-Luna**, having been summoned and failing to appear before the Board of Stewards on **December 6, 2021**, for **excessive use of whip**, while aboard **"Bogart Jr"** in the **4th Race November 30, 2021** at Zia Park Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Felipe D Garcia-Luna**, a fine in the amount of **One Thousand Dollars, (\$1000.00)**. This fine is to be paid on or before **January 5, 2022** 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 December 16, 2021.**

By Order of The Zia Park Stewards



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: 2021-ZIA-125  
Track Zia Park  
Ruling Date: 12/7/2021

Licensee: ESCOBAR, VICTOR

License Type: 2021 3 Year Trainer      Applicant Id: 25459  
License Number: 302609

Ruling # 2021-ZIA-125

Action Type: Initial Ruling

Ruling:

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

**This ruling is in accordance with:**

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

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(a) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

By Order of The Zia Park Stewards