



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2022-RUI-73**
Track: Ruidoso Downs
Ruling Date: 7/30/2022

Licensee: **ORONA, JR MARTIN M.**

License Type: **Applicant Id: 32292**
License Number:

Ruling # 2022-RUI-73
Action Type: Final Outcome
Ruling:

Final Outcome: 8/13/22

Trainer: Martin Orono, Jr. having been duly notified and waived his right to a 10-day notice for a disciplinary hearing before the Ruidoso Downs Board of Stewards on August 6, 2022, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), Nikethamide (class 1 penalty A drug) confirmed in the blood in test sample E546870 taken from the 1st place finisher "Mi Gentee" following the 6th race on July 16, 2022, at Ruidoso Downs Racetrack.

Split sample rights as provided in 15.2.6.10 (D)(2) NMAC, were afforded to trainer however, no split sample was requested within the required 48-hours.

Juan A. Terrazas is the owner of record for the horse "Mi Gentee".

Aggravating Factor(s):

- Nikethamide is a Zero tolerance drug in New Mexico.
- Class 1 Drugs are a Stimulant which has the potential to affect performance.
- Nikethamide is not approved by the FDA for use in horses and is not commercially available in the US.
- In the year 2020 the trainer had two (2) Class A violations for Albuterol and Clenbuterol in Quarter Horses.
- No evidence was presented to disprove the findings of the racing commission.

For **Martina Orona's** THIRD Class A 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 3-year suspension of all NMRC licenses (retroactive from summary suspension) July 29, 2022, through July 29, 2025, inclusive.
2. A Twenty-Five Thousand dollar (\$25,000.00) fine to be paid on or before September 29, 2022, in accordance with 15.2.1.9 (B)(7)(f). Failure to pay the fine in the prescribed time shall result in an immediate suspension.

In addition, Martin Orono, Jr. has accumulated "6" points prior to this ruling and "6" point in connection with this ruling for a current total of "12" points under the multiple medication violation point system. Under the multiple medication violation point system, Martin Orono, Jr. is subject to an additional penalty of 360 days pursuant to section 15.2.6.9 (O)(7) of NMAC.

Additional Days July 30, 2025, thru July 25, 2026.

In accordance with 15.2.1.9 (C)(21), **Martin Orono, Jr.** 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 **Martin Orono, Jr.** are ineligible to be entered or start in any race in this



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jurisdiction, per 15.2.1.9 (C)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of **Martin Orona, Jr.** must be done in accordance with 15.2.6.9A(12)(a)(b) and approved by the Stewards.

Medication and Prohibited Substances,

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

15.2.6.9 NMAC Version 14.4- Dec 2020 – Medication and Prohibited Substances 15.2.6.9(C)(1)(3)(8)(a)(9)

(10)(a-d) Medication Restrictions, 15.2.6.9(B)(1) Penalty Recommendations

16.47.1.8 (U)(1)(2) PROTECTION OF HORSES 16.47.1.10(B)(1)(2) Absolute Insurer

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

15.2.1.8(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 \$400.

LAST DAY FOR APPEAL: August 23, 2022.

By Order of The Ruidoso Downs Stewards

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