



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2022-ZIA-15**
Track: Zia Park
Ruling Date: 10/19/2022

Licensee: **CAPPELLUCCI, DICK**
License Type: **2019 3 Year Trainer** Applicant Id: **15418**
License Number: **297118**

Ruling # 2022-ZIA-15

Action Type: Initial Ruling

Ruling:

Trainer Dick Cappellucci having been duly notified and waived his 10-day notice and formal hearing telephonically before the Board of Stewards on October 18, 2022, for failing to have the correct horse "IMAMONEYMAKER" in the paddock for the 5TH race on October 18, 2022, at ZIA Park Racetrack which resulted in a late scratch.

The Board of Stewards hereby assess penalty as follows:

1.A fine of Five Hundred Dollars (\$500.00) which must be paid on or before **November 18, 2022**.

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

15.2.5.11 B. Identification: (1) Each horse must be properly identified prior to its participation in an official timed workout.

15.2.3.8 F(1) (2) F. Horse identifier: (1) General authority: The horse identifier shall: when required, ensure the safekeeping of digital or paper registration certificates and racing permits for horses stabled or racing on association grounds; inspect documents of ownership, eligibility, registration or breeding necessary to ensure the proper identification of each horse scheduled to compete at a race meeting; examine every starter in the paddock for sex, color, markings lip tattoo or microchip (ISO11784), freeze brand or other approved method of positive identification, for comparison with its registration certificate to verify the horse's identity; supervise the tattooing, micro chipping, freeze branding or other approved method of positive identification, for identification of any horse located on association grounds. Positive identification may include verification that the breed registration certificate has been submitted for correction or verification that the tattooing process has been initiated.

(2) Report violations: The horse identifier shall report to the stewards any horse not properly identified or whose registration certificate is not in conformity with these rules.

16.47.1.10 C (5) the proper identity, custody, care, health, condition, and safety of horses in their charge.

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

This Ruling is written in accordance with:



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: 2022-ZIA-15
Track Zia Park
Ruling Date: 10/19/2022

Licensee: CAPPELLUCCI, DICK

License Type: 2019 3 Year Trainer Applicant Id: 15418
License Number: 297118

16.47.1.8(N) Last Known Address

16.47.1.8(L)(1)(e) Grounds for Disciplinary Measures

15.2.1.9(B)(9)(a) Failure to Appeal

15.2.1.9(B)(9)(b): Appeal Procedures, which states "An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to the next day that is not a Saturday, Sunday, or legal holiday. The appeal must be received by noon at the main commission offices or with the Stewards who issued the ruling and must be accompanied by a fee in the amount of \$400.00 dollars. The fee must be in the form of a cashier's check or a money order. Last day to file an appeal is October 29, 2022.

By Order of The Zia Park Stewards

RULING
2022-ZIA-16
ISSUED IN
ERROR



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2022-ZIA-17**
Track: Zia Park
Ruling Date: 10/22/2022

Licensee: MORENO TADEO, CESAR T
License Type: 2021 3 Year Jockey Applicant Id: 164006
License Number: 303047

Ruling # 2022-ZIA-17

Action Type: Initial Ruling

Ruling:

Jockey **Cesar T Moreno** having appeared telephonically before the Board of Stewards and waiving his 10-day notice and formal hearing on October 22, 2022, for failure to honor or be excused from his riding engagement on Saturday, October 22, 2022, in the 2nd race, (#4 SEND ME RUNNIN).

Cesar T Moreno failed to notify stewards that he would not ride which resulted in a late Jockey change.

For this violation, the Board or Stewards assessed, **Cesar T Moreno** a fine in the amount of Two Hundred and Fifty dollars, \$250.00. The fine is to be paid on or before November 21st, 2022, in accordance with 15.2.3.8 (B) (3) (1). 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 (C)(1) (3) Jockey requirements: (1) Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all their riding engagements of the day have been fulfilled except as approved by the stewards

(3) Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the stewards. Failure to fulfill riding engagements may result in disciplinary action.

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 \$400. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is November 1, 2022.**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2022-ZIA-18**
Track: Zia Park
Ruling Date: 10/23/2022

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

Ruling # 2022-ZIA-18
Action Type: Initial Ruling
Ruling:

Jockey **Kevin Enriquez-Arenivas**, having been summoned and represent by Angel Emmanuel Marquez before the Board of Stewards on **October 23, 2022**, for **excessive use of whip**, (Fifth violation) while aboard "**Volcom One**" in the **11th Race October 22, 2022**, at ZIA Park, is found to be in violation of Commission rules.

For this violation, the Board of Stewards suspended **Kevin Enriquez-Arenivas** 14 calendar days from October 24, 2022, through November 6, 2022. and a (one thousand dollar) \$1000.00 fine. During the time of suspension Kevin Enriquez-Arenivas will not be permitted to ride in designated races.

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:

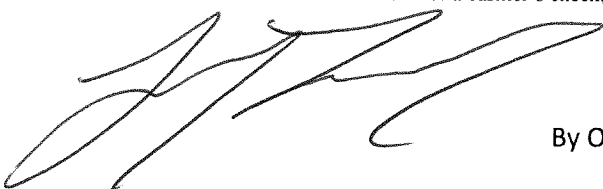
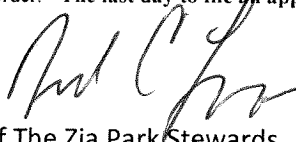
16.47.1.3 Statutory Authority

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 \$400. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is November 2, 2022.**

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: **2022-ZIA-19**
Track: Zia Park
Ruling Date: 10/23/2022

Licensee: MENDOZA, RAMON
License Type: 2021 3 Year Trainer Applicant Id: 159104
License Number: 303429

Ruling # 2022-ZIA-19

Action Type: Initial Ruling

Ruling:

Trainer Ramon Mendoza was duly notified and waived his hearing before the Board of Stewards on October 23, 2022. The hearing was regarding Ramon Mendoza failing to be present in the paddock or notify the stewards of another trainer or assistant trainer to saddle entry on October 22nd, 2022, in multiple races

The Board of Stewards hereby fines **Ramon Mendoza** in the amount of **Two hundred and Fifty dollars (\$250.00)**. The fine is to be paid on or before **November 22nd, 2022**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed shall result in immediate suspension.

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

16.47.1.10 (C)(23) TRAINER RESPONSIBILITY personally attending to their horses in the paddock and supervising the saddling thereof, unless excused by the stewards; if the trainer is excused, the trainer must secure another trainer or assistant trainer who is licensed by the commission to assume those duties;

15.2.3.8 B (3)(a)(f) Stewards Disciplinary Action/15.2.3.8 B (1) (a)(c)(d) Stewards General Authority/16.47.1.8 (T) KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures/ 15.2.1.9(B)(9)(a) Failure to Appeal/ 15.2.1.9(B)(9)(b): Appeal Procedures Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$400. The fee must be in the form of cash, a cashier's check, money order or personal check."

LAST DAY TO APPEAL: November 1, 2022

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: **2022-ZIA-20**
Track: Zia Park
Ruling Date: 10/23/2022

Licensee: CHAVEZ, LARRY CLIFFORD

License Type: 2019 3 Year Trainer Applicant Id: 15666
License Number: 296533

Ruling # 2022-ZIA-20

Action Type: Initial Ruling

Ruling:

Trainer Larry Chavez having been duly notified and having waived his 10-day notice and formal hearing before the Board of Stewards on October 23, 2022 for not having a current Coggins for the horse "BIG MAC DADDY" for the 10th race on October 23, 2022 at ZIA which resulted in a late scratch.

The Board of Stewards hereby assesses penalty as follows:

1. A fine of Two Hundred Fifty Dollars (\$250.00) which must be paid on or before November 22, 2022.

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

15.2.5.12(A)(26) HORSES INELIGIBLE:

A. A horse shall be ineligible to start in a race when:

(26) there is no current negative test certificate for equine infectious anemia on file with the racing office, as required by the commission

15.2.1.9(B)(9)(b): Appeal Procedures, which states "An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to the next day that is not a Saturday, Sunday, or legal holiday. The appeal must be received by noon at the main commission offices or with the Stewards who issued the ruling and must be accompanied by a fee in the amount of \$400.00 dollars. The fee must be in the form of a cashier's check or a money order. Last day to file is November 2, 2022.

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: **2022-ZIA-21**
Track: Zia Park
Ruling Date: 10/23/2022

Licensee: VELASQUEZ, COSME
License Type: 2019 3 Year Trainer Applicant Id: 137067
License Number: 296279

Ruling # 2022-ZIA-21

Action Type: Initial Ruling

Ruling:

Trainer Cosme Velasquez having been duly notified and having waived his 10-day notice and formal hearing appeared telephonically before the Board of Stewards on October 23rd, 2022, for failing to be present in the paddock to saddle his horse "Zulu Moon" in the 8th race on October 22nd, 2022, and causing a late scratch at Zia Park Racetrack.

16.47.1.10 TRAINERS: C. Other responsibility: (23) personally attending to their horses in the paddock and supervising the saddling thereof, unless excused by the stewards; if the trainer is excused, the trainer must secure another trainer or assistant trainer who is licensed by the commission to assume those duties;

The Board of Stewards hereby assesses penalty as follows:

1.A fine of Five Hundred Dollars (\$500.00) which must be paid on or before November 22nd, 2022.

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

15.2.1.9(B)(9)(b): Appeal Procedures, Which states "An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to the next day that is not a Saturday, Sunday, or legal holiday. The appeal must be received by noon at the main commission offices or with the Stewards who issued the ruling and must be accompanied by a fee in the amount of \$400.00 dollars. The fee must be in the form of a cashier's check or a money order. **Last day to file is November 2, 2022.**

This ruling is written in accordance with:

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

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2022-ZIA-22**
Track: Zia Park
Ruling Date: 10/24/2022

Licensee: **ASCENCIO, JR ARNULFO**
License Type: **2021 3 Year Trainer** Applicant Id: **23046**
License Number: **302426**

Ruling # 2022-ZIA-22

Action Type: Initial Ruling

Ruling:

Trainer Arnulfo Ascencio Jr having been duly notified and having waived his 10-day notice and formal hearing appeared telephonically before the Board of Stewards on October 24, 2022, for failing to be present in the paddock to saddle his horse "WORK ETHIC" in the 2th race on October 23, 2022, and causing a late scratch at Zia Park Racetrack.

16.47.1.10 TRAINERS: C. Other responsibility: (23) personally attending to their horses in the paddock and supervising the saddling thereof, unless excused by the stewards; if the trainer is excused, the trainer must secure another trainer or assistant trainer who is licensed by the commission to assume those duties.

The Board of Stewards hereby assesses penalty as follows:

1. A fine of Five Hundred Dollars (\$500.00) which must be paid on or before November 22nd, 2022.

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

15.2.1.9(B)(9)(b): Appeal Procedures, which states "An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to the next day that is not a Saturday, Sunday, or legal holiday. The appeal must be received by noon at the main commission offices or with the Stewards who issued the ruling and must be accompanied by a fee in the amount of \$400.00 dollars. The fee must be in the form of a cashier's check or a money order. **Last day to file is November 3, 2022.**

This ruling is written in accordance with:

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2022-ZIA-23**
Track: Zia Park
Ruling Date: 10/24/2022

Licensee: **SARMIENTO, RIGO A**
License Type: **2022 1 Year Jockey** Applicant Id: **163809**
License Number: **306135**

Ruling # 2022-ZIA-23

Action Type: Initial Ruling

Ruling:

Jockey **Rigo Samiento** having appeared before the Board of Stewards on October 24, 2022 and having waived his right to a ten day notice and a formal hearing for being disrespectful towards State Stewards on October 23, 2022 (Arguing and hung up phone on the stewards) is found to be in violation of Commission rules.

For this rule violation, the Board of Stewards assessed Jockey **Rigo Samiento** a penalty in the amount of **Five Hundred Dollars (\$500.00)**. This fine is to be paid on or before **November 22, 2022**, in accordance with 15.2.3.8(B)(3)(I) NMAC. Failure to pay the fine within the time prescribed may result in immediate suspension.

Licensee is found to be in violation of:

16.47.1.8 (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”

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 \$400. The fee must be in the form of cash, a cashier's check, money order or personal check."

The last day to appeal is November 3, 2022.

By Order of The Zia Park Stewards