

**NEW MEXICO HORSE RACING COMMISSION**  
**MINUTES OF THE SPECIAL MEETING (RACE REVIEW)**

Date: January 17, 2023, at 9:00 a.m.

Place: NMRC Boardroom; 4900 Alameda Blvd., NE, Albuquerque, NM and Zoom Video Conference – Meeting ID: 818 8056 1116

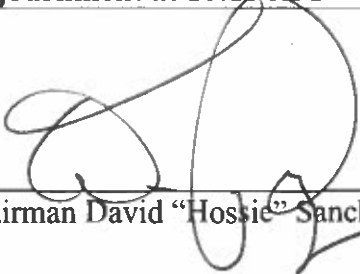
Members Present: Vice-Chairman David “Hossie” Sanchez, Commissioner John Buffington, Commissioner Billy Smith and Commissioner Margaret Branch.

NMRC Staff Participating: Executive Director Ismael Trejo (via telephone), In-House Counsel Richard Bustamante and Law Clerk Denise Chavez

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
<b>Public Session 1:</b> <b>1. Call to Order and Roll Call</b>	0:01 – 0:21	Meeting called to order at 9:00 a.m. by Vice-Chairman Sanchez. Roll call was taken by Denise Chavez. Executive Director Ismael Trejo (via telephone), In-House Counsel Richard Bustamante, and NMRC Law Clerk, Denise Chavez were also present.	No Action Taken.
<b>2. Pledge of Allegiance</b>	0:23 – 0:40		Pledge of Allegiance was recited.
<b>3. Approval of Agenda</b>	0:45 – 1:00		Motion to Approve Agenda as submitted made by Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.

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<p><b>4. Race Review: IMO: Mario Dominguez – Race #5 on January 7, 2023 at Sunland Park.</b></p>	<p>1:10 - END</p>	<p>NM Racing Commission Steward Connie Estes was present today to present the Sunland Park Board of Stewards evidence. Also present was Mr. Mario Dominguez, who brought the race appeal. Both Steward Estes and Mr. Dominguez were sworn in to tell the truth and nothing but the truth.</p> <p>The NM Racing Commission heard arguments from both parties and reviewed the video several times of race #5 that ran on January 7, 2023, at Sunland Park wherein horse #1, “Wahine”, placed first (1<sup>st</sup>). The Sunland Park Board of Stewards ruled horse #1, “Wahine”, intimidated/impeded horse #2 and therefore, disqualified horse #1, “Wahine” and placed him in last place behind horse #3.</p> <p>Mr. Dominguez also had the opportunity to present his evidence and argument regarding the ruling of the Sunland Board of Stewards that day.</p> <p>The Commission ruled in open-session and found “based on the totality of evidence reviewed, the preponderance of the evidence shows horse #1 “Wahine” did not violate Rule 15.2.5.13(E)(3)(d) NMAC given that the distance between horses #1, #2 and #3 was such that the actions of horse #1 did not interfere/impede/intimidate horses #2 and #3.</p>	<p>Motion to reverse the Sunland Board of Stewards’ Decision made by Commissioner Sanchez. Motion seconded by Commissioner Buffington. Motion passed unanimously by roll call vote.</p>

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		Based on the totality of the evidence reviewed, the Commission determined the actions of horse #1 "Wahine" was not a violation of Rule 15.2.5.13(E)(3)(d), and, therefore, it should not have been disqualified. Accordingly, the Commission reversed the decision of the Sunland Park Board of Stewards in this matter.	
7. Adjournment at 10:15 AM			

  
 Vice-Chairman David "Hossie" Sanchez Date 3-23-23

  
 Executive Director Ismael Trejo Date 3-23-23