



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-SUN-56
Track Sunland Park
Ruling Date: 3/16/2023

Licensee: ARENIVAS, BENITO

License Type: 2022 1 Year Owner Applicant Id: 9673
License Number: 303781

Ruling # 2023-SUN-56

Action Type: Initial Ruling

Ruling:

Owner, Benito Arenivas, having been duly notified was represented by his son Trainer, Benito Brito-Arenivas Jr. who appeared telephonically on January 18, 2023, at 8:30 a.m. before the Sunland Park Board of Stewards (Sunland Park Racetrack 1200 Futurity Drive Sunland Park, New Mexico 88063) to hear the facts relating to a positive test for Clenbuterol (Class 3 A Medication violation) found in the urine test sample E562921 taken from the Quarter Horse "TRUE FRESHMAN", who finished 1st place in the 3rd Quarter Horse Claiming Race on December 10, 2022, at Zia Park Racetrack.

Owner, Benito Arenivas Class 3A 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:

Licensed owner: 1st offense:

1. The horse "True Freshman" is hereby disqualified from 1st place and ordered unplaced from the 3rd race at ZIA PARK on December 10, 2022. for but pari-mutuel wagering.
2. Horse shall be placed on the veterinarian's list for 180 days and must pass a commission approved examination prior to entry.

The horse "True Freshman" is hereby disqualified from 1st place and ordered unplaced from the 3rd race at ZIA PARK on December 10, 2022. for but pari-mutuel wagering.

The purse redistribution is as follows:

- 1st #1 A Winning Version
- 2nd # 6 Venice Jewel
- 3rd # 5 Dream Lucky Charm
- 4th # 2 Zulu
- 5th # 4 Demaz D Flyer
- 6th #3 Tesguino Special

Disqualified / Unplaced: 7 True Freshman

Licensee is found to be 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) Medication Restrictions / 15.2.6.9(F)Permissible/ 15.2.6.9 NMAC Attachment 2/ Medications With Acceptable Levels /15.2.6.9(B)(4)Penalty Recommendations/ 15.2.3.8(B)(3)(k) Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-56**
Track Sunland Park
Ruling Date: 3/16/2023

Licensee: ARENIVAS, BENITO

License Type: 2022 1 Year Owner Applicant Id: 9673
License Number: 303781

of \$400. The fee must be in the form of a cashier's check or money order." Last date for appeal:
March 26, 2023.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-57**
Track: Sunland Park
Ruling Date: 3/18/2023

Licensee: **CORDERO-CARMONA, JUAN CARLOS**
License Type: **2023 1 Year Duplicate** Applicant Id: **157547**
License Number: **307327**

Ruling # 2023-SUN-57
Action Type: Initial Ruling
Ruling:

Juan Carlos Cordero-Carmona's, license was denied by the Ruidoso Downs Board of Stewards on September 21, 2019. Mr. Cordero-Carmona is ineligible for licensing by the New Mexico Racing Commission and all licenses previously issued to Mr. Cordero-Carmona are hereby rescinded. Juan Carlos Cordero-Carmona, is denied access to and excluded from all facilities under the jurisdiction of the New Mexico Racing Commission.

Prior to reapplying for a license, Juan Carlos Cordero-Carmona must appear before the New Mexico Racing Commission for eligibility approval.

Juan Carlos Cordero-Carmona failing to report to the stewards and be properly licensed as mandated by the NMRC on March 5, 2023, the prior tentative approval of Mr. Cordero-Carmona to work as an outrider is hereby rescinded. Furthermore, pursuant to ruling 2019-NMS-32, Mr. Cordero is currently under suspension by the NMRC and is prohibited to be on the grounds of the association. He must request and appear before the NMRC before being eligible to be licensed in any capacity.

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

- 16.47.1.8 (L)(1)(d) **GROUND FOR DISCIPLINARY MEASURES** The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant has failed to disclose or falsely states any information required in the application.
- 16.47.1.8 (L)(1)(i) – **CONDUCT** Which states in pertinent part “The Commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures if the applicant is a person whose conduct or reputation may reflect on the honesty, and integrity of horse racing.”
- 15.2.3.8 (B)(3)(g) **STEWARDS AUTHORITY** The stewards may order that a person be ineligible for licensing; or they may deny a license to an applicant on grounds set forth in the act or these rules.
- 15.2.3.8 (B)(3)(j) **REFER TO THE COMMISSION** The stewards may refer any matter to the commission and may include recommendations for disposition. The absence of a steward's referral shall not preclude commission action in any matter.
- 16.47.1.8(L)(2) **Written Notice Of Suspension Or Revocation To Licensee And Other Jurisdictions**
- 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) 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** 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 Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-58**
Track: Sunland Park
Ruling Date: 3/18/2023

Licensee: VEGA, LORENZO

License Type: 2022 3 Year Trainer Applicant Id: 25821
License Number: 303486

Ruling # 2023-SUN-58

Action Type: Initial Ruling

Ruling:

Trainer Lorenzo Vega having been duly notified, appeared before the Board of Stewards and waived his right to a 10-day notice and formal hearing before the Sunland Park Board of Stewards on March 18, 2023 for failure to have a flipping rig on the horse "Using Nitro" in the 1st race on March 17, 2023 causing a late program scratch at Sunland Park Racetrack.

The Board of Stewards hereby assesses penalty as follows:

1. A fine of Five Hundred Fifty Dollars (\$500.00) which must be paid on or before April 17, 2023.

Trainer

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

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

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 March 17, 2023.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-SUN-59
Track: Sunland Park
Ruling Date: 3/20/2023

Licensee: JAIME, RICARDO

License Type:

Applicant Id: 31030
License Number:

Ruling # 2023-SUN-59

Action Type: Initial Ruling

Ruling:

Ricardo Jaime failed the Jockey Agent's test on 01/13/2023.
Mr. Jaime is ineligible to retest for at least 90 days.

16.47.1.13 JOCKEY AGENTS: A. Eligibility:

(2) Applicants not previously licensed as a jockey agent shall be required to pass a written and oral examination

15.2.1.9 Due Process and Disciplinary Action: B. Proceedings before the stewards: (7) Ruling.

(b) 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.

Last day to appeal: Thursday, March 30, 2023.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-SUN-60
Track Sunland Park
Ruling Date: 3/20/2023

Licensee: RODRIGUEZ, LUIS HUMBERTO
License Type: 2022 3 Year Jockey Applicant Id: 20350
License Number: 306939

Ruling # 2023-SUN-60

Action Type: Initial Ruling

Ruling:

Jockey, Luis H. Rodriguez was duly notified and appeared before the Sunland Park Board of Stewards on March 19, 2023, for failing to persevere with his mount "Diabolical Package" in the 6th Race on March 14, 2023. Horse going from 4th place to 5th place after the rider stood prior to the wire, this Race had a .10 (Ten Cent) superfecta betting.

For this violation the Board of Stewards hereby:

- 1. Suspend Luis H. Rodriguez for a period of Suspended 7 (Seven) calendar days March 27, 2023 – April 2, 2023. During the term of this suspension Mr. Luis H. Rodriguez may continue to exercise horses during the training hours and may fulfill riding engagements in designated races.**
- 2. Fined \$500. (Five Hundred) dollars. 15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS: B. Stewards: (k) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered. Fine to be paid on or before Tuesday, April 18, 2023.**

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

15.2.5.13(e)(5) a jockey shall not ease up, or coast to the finish, without adequate cause, even if a horse has no apparent chance to win prize money.

16.47.1.12 JOCKEYS: (G) Jockey Suspensions and Designated Races:

(2) A jockey suspended for 10 days or less for a riding violation, unless otherwise specified in the ruling, may continue to exercise horses during the training hours and may fulfill riding engagements in designated races, as designated by the stewards at the beginning of the race meet.

15.2.1.9(B)(4)(A) Notice of Hearing for Jockeys

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

15.2.1.9 Due Process and Disciplinary Action: B. Proceedings before the stewards: (7) Ruling.

(b) 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.

Last day to appeal: **Thursday, March 30, 2023.**

By Order of The Sunland Park Stewards
 





New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-60**
Track Sunland Park
Ruling Date: 3/20/2023

Licensee: **RODRIGUEZ, LUIS HUMBERTO**
License Type: 2022 3 Year Jockey Applicant Id: 20350
License Number: 306939



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-61**
Track: Sunland Park
Ruling Date: 3/22/2023

Licensee: **MUNOZ, EBERT**
License Type: **2021 3 Year Trainer** Applicant Id: **23853**
License Number: **301589**

Ruling # 2023-SUN-61

Action Type: Initial Ruling

Ruling:

Trainer, Ebert Munoz having been duly notified telephonically waived his right to a formal hearing before the Sunland Park Board of Stewards. Mr. Ebert Munoz is hereby fined \$250. (Two Hundred and Fifty dollars), Saturday March 18, 2023, Trainer, Ebert Munoz, brought the horse "Mires a La Luna) the second-place finisher to the test barn for testing. Mr. Ebert Munoz, failed to bring a halter to the test barn with the horse. A halter was provided 20 minutes later. Also, present in the test barn was an unlicensed groom escorting the horse.

For these violations:

Trainer, Ebert Munoz is fined \$250. (Fine to be paid on or before Tuesday, April 22, 2023.)

This ruling in written in accordance with:

16.47.1.8 GENERAL PROVISIONS: G. Employer responsibility:

(1) The employment of any unlicensed person under the jurisdiction of the commission is prohibited.

15.2.2.8 ASSOCIATIONS:A. General duty. O. Test barn: (3) An association shall limit access to the test barn to persons, authorized by the official veterinarian, for the conduct of commission authorized tasks such as practicing veterinarians in the performance of their obligations, employees of the official veterinarian, commissioners and their designees. In addition, no more than two persons representing the stable of a horse required to be tested may accompany that horse into the test barn. All persons entering the test barn must wear a valid license in plain view. All entrances shall be locked or guarded at all times.

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

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) (2) License Required T. Knowledge of Rules:

(N) Last Known Address

15.2.1.9(B)(9)(A) FAILURE TO APPEAL

15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS: B. Stewards: (k) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered. Fine to be paid on or before Tuesday, April 22, 2023.

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 April 2, 2023.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-62**
Track: Sunland Park
Ruling Date: 3/23/2023

Licensee: **ONTIVEROS, JESUS JOSE**
License Type: **2022 3 Year Owner** Applicant Id: **32267**
License Number: **306810**

Ruling # 2023-SUN-62

Action Type: Initial Ruling

Ruling:

Owner: **Jesus Ontiveros**, "A Reliable Cartel V", having been duly notified and was telephonically represented by his Trainer, Jacob Renteria. Mr. Renteria waived his right to a formal hearing, before the Sunland Park Board of Stewards on March 10, 2023, regarding a lab report from Industrial Laboratories dated March 1, 2023, (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Phenylbutazone (class 4-C penalty) found in test sample E591720 taken from the 1st place finisher "A Reliable Cartel V" following the 1st Race on February 25, 2023 at Sunland Park Racetrack.

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

The affidavit lab report confirmed Phenylbutazone at 1.68 +/- 0.047 ug/ml at the threshold of 0.3 ug/ml in the blood, which exceeds the allowable limit in the blood. (15.2.6.9 (B)(3)).

Jacob Renteria is the trainer of record for horse "A Reliable Cartel V"

Owner: **Jesus Ontiveros**, **FIRST** Class 4C 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. The horse "A Reliable Cartel V" is hereby disqualified from 1st Place and ordered unplaced from the 1st race, on February 25, 2023, at Sunland Park Racetrack for all but pari-mutuel wagering.
2. The horse "A Reliable Cartel V" must pass a commission approved examination before being eligible to enter.

The purse redistribution is as follows:

1st Snafoo
2nd A Dashing Delilah
3rd Cautiousoptimistic
4th Little Moon Dawg
5th One Big Check
6th La Julia
7th Trigger Man Ar
8th Chata Bigcartel
9th Jamming

Disqualified / Unplaced: #4 A Reliable Cartel

Licensee is found to be 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) Medication Restrictions / 15.2.6.9(F)Permissible/ 15.2.6.9 NMAC Attachment 2/ Medications With Acceptable Levels /15.2.6.9(B)(4)Penalty Recommendations/ 15.2.3.8(B)(3)(k) Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-62**
Track Sunland Park
Ruling Date: 3/23/2023

Licensee: **ONTIVEROS, JESUS JOSE**

License Type: 2022 3 Year Owner Applicant Id: 32267
License Number: 306810

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 a cashier's check or money order."

Last date for appeal: Monday, April 3, 2023.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-63**
Track: Sunland Park
Ruling Date: 3/23/2023

Licensee: **RENTERIA, JACOB**
License Type: **2021 3 Year Trainer** Applicant Id: **12142**
License Number: **303123**

Ruling # 2023-SUN-63

Action Type: Initial Ruling

Ruling:

Trainer Jacob Renteria having been notified appeared telephonically before the Sunland Park Board of stewards on March 10,2023 and waived his 10-day notice and formal hearing on the matter of a medication violation. A confirmed positive test for sample E591720 for the horse "Reliable Cartel V" for Phenylbutazone positive confirmed in the blood at (1.68pg/ml)on February 25,2023 1st race and finished 1st at Sunland Park Racetrack.

For this violation the stewards have issued the following penalties.

1.) A written warning letter was issued pursuant to 15.2.6 B (6). (Phenylbutazone at a level of 1.68pg/ml)

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)(3)Penalty Recommendations.

15.2.1.9. (b) 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 15.2.1 NMAC 14 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 money order, cashier's check, or a corporate check. Last date of appeal: **Last date of appeal April 3, 2023**

By Order of The Sunland Park Stewards

**SUNLAND
RULING
2023-SUN-64
ISSUED
IN
ERROR**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-65**
Track: Sunland Park
Ruling Date: 3/24/2023

Licensee: **VEGA, RAUL VELARDE**

License Type: **Applicant Id: 9954**
License Number:

Ruling # 2023-SUN-65

Action Type: Initial Ruling

Ruling:

Trainer, Raul Vega is summarily suspended effective immediately, March 24th, 2023, pending the outcome of his summary suspension hearing scheduled for Friday, March 31, 2023, at 8:30 a.m. in the office of the Board of Stewards at Sunland Park Racetrack (1200 Futurity Drive, Sunland Park, New Mexico.), per 15.2.1.9 (B)(3)(b) Summary Suspension. The summary suspension is regarding "Cause for Love Too" entered to race on Tuesday March 21, 2023, at Sunland Park. The horse "Cause for Love Too" was scratched by the Stewards prior at 12:46 to Race 2 on March 21, 2023, upon the recommendation of Sunland Park Association Veterinarian. The horse was cited in a "Warning Notice from El Paso County Animal Warfare Department".

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

(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; In accordance with 15.2.1.9 (C)(21), Raul Vega 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 Raul Vega 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 Raul Vega 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 this ruling is written in accordance with:

16.47.1.10(B)(1)(2) Absolute Insurer

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)

15.2.6.9 NMAC. Penalty Recommendations

KNOWLEDGE OF RULES /16.47.1.3 Statutory Authority



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-65**
Track: Sunland Park
Ruling Date: 3/24/2023

Licensee: **VEGA, RAUL VELARDE**

License Type: **Applicant Id: 9954**
License Number:

16.47.1.8 (A)(1)(2) License Required /16.47.1.8(N) Changes in Application in.

15.2.1.9 DUE PROCESS AND DISCIPLINARY ACTION:

B. Proceedings before the stewards: (3) Summary suspension.

(a) If the stewards determine that a licensee's actions constitute an immediate danger to the public health, safety, or welfare, the stewards may summarily suspend the license pending a hearing.

(b) A licensee whose license has B. Proceedings before the stewards:

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.

(c) The stewards shall conduct a hearing on the summary suspension in the same manner as other disciplinary hearings. At a hearing on a summary suspension, the sole issue is whether the licensee's license should remain suspended pending a final disciplinary hearing and ruling.

16.47.1.8 GENERAL PROVISIONS:

L. Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license:

(o) has engaged in conduct unbecoming or detrimental to the best interests of racing.

U. Protection of horses:

(2) No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care.

15.2.6.9(D)(1) NMAC:

Which states in pertinent part that "a finding by the Commission approved laboratory of a prohibited drug, chemical or other substance in a test specimen of a horse is prima facie evidence that the prohibited drug, chemical or other substance was administered to the horse and, in case of a post-race test, was present in the horse's body while it was participating in a race."

15.2.6.9(C) NMAC:

Which states in pertinent part that "recommended penalties for a Category violation of this level is ."

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 and trial qualification."

15.2.3.8(B)(3)(k) NMAC:

Which states in pertinent part that "Purses, prizes, awards and trophies shall be redistributed if the Stewards or Commission order a change in the official order of finish."

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-SUN-66
Track Sunland Park
Ruling Date: 3/26/2023

Licensee: MONTOYA, JAVIER P
License Type: 2022 3 Year Trainer Applicant Id: 28152
License Number: 305980

Ruling # 2023-SUN-66

Action Type: Initial Ruling

Ruling:

Trainer, Javier Montoya having been duly notified telephonically waived his right to a formal hearing before the Sunland Park Board of Stewards. Mr. Javier Montoya is hereby fined \$100. (One Hundred dollars). Saturday March 25, 2023. Trainer, Javier Montoya, brought the horse "Don Alfredo O" to the test barn for testing. Mr. Javier Montoya, failed to bring a water bucket to the test barn with the horse.
For this violations:

Trainer, Javier Montoya is fined \$100. (Fine to be paid on or before Tuesday, April 25, 2023.)

This ruling in written in accordance with:

16 47.1.8 GENERAL PROVISIONS: G. Employer responsibility:

(1) The employment of any unlicensed person under the jurisdiction of the commission is prohibited.

15 2.2.8 ASSOCIATIONS: A. General duty O Test barn: (3) An association shall limit access to the test barn to persons, authorized by the official veterinarian, for the conduct of commission authorized tasks such as practicing veterinarians in the performance of their obligations, employees of the official veterinarian, commissioners and their designees. In addition, no more than two persons representing the stable of a horse required to be tested may accompany that horse into the test barn. All persons entering the test barn must wear a valid license in plain view. All entrances shall be locked or guarded at all times.

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 47.1.3 Statutory Authority

16 47.1.8 (A)(1) (2) License Required T. Knowledge of Rules:

(N) Last Known Address

15 2.1.9(B)(9)(A) FAILURE TO APPEAL

15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS: B. Stewards: (k) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered. Fine to be paid on or before Tuesday, April 22, 2023.

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 April 5, 2023.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-67**
Track: Sunland Park
Ruling Date: 3/26/2023

Licensee: DE LA CRUZ, VILMA IRIS

License Type: Applicant Id: 22006
License Number:

Ruling # 2023-SUN-67

Action Type: Initial Ruling

Ruling:

Trainer, Vilma De La Cruz, having been duly notified telephonically waived his right to a formal hearing before the Sunland Park Board of Stewards. Mr. Wilma De La Cruz is hereby fined \$200. (Two Hundred and Fifty dollars), Sunday March 19, 2023, having an unlicensed person in the Saddling Paddock
For these violations:

Trainer, Vilma De La Cruz, is hereby fined \$200. (Fine to be paid on or before Tuesday, April 22, 2023.)

This ruling in written in accordance with:

16.47.1.8 GENERAL PROVISIONS: G. Employer responsibility:

(1) The employment of any unlicensed person under the jurisdiction of the commission is prohibited.

15.2.2.8 ASSOCIATIONS: A. General duty

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) (2) License Required T. Knowledge of Rules:

(N) Last Known Address

15.2.1.9(B)(9)(A) FAILURE TO APPEAL

15.2.3.8 FLAT RACING OFFICIALS GENERAL PROVISIONS: B. Stewards: (k) All fines imposed by the stewards shall be paid to the commission within 30 days after the ruling is issued, unless otherwise ordered. Fine to be paid on or before Tuesday, April 22, 2023.

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. The last day to file an appeal is April 5, 2023.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-68**
Track: Sunland Park
Ruling Date: 4/1/2023

Licensee: ALDAVAZ,SR JAIME G.
License Type: 2022 3 Year Trainer Applicant Id: 19631
License Number: 305154

Ruling # 2023-SUN-68

Action Type: Initial Ruling

Ruling:

Trainer/Owner, Jaime G. Aldavaz, Sr. having been duly notified to appear before Sunland Park racetrack Board of Stewards (1200 Futurity Dr. Sunland Park, NM 88063) on Tuesday, March 28, 2023. Mr. Aldavaz, Sr., waived his right to a hearing before the Board of Stewards regarding an affidavit from Industrial Laboratories, the official testing laboratory for the NMRC, for a confirmed positive for the drug Medroxyprogesterone Acetate (Class 3 penalty B) confirmed in blood sample E585599 obtained from the 2nd place finisher "Tickle This Ivory" following the 5th race, on February 17, 2023, at Sunland Park racetrack.

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

Jaime G. Aldavaz, Sr., was "Trainer and Owner" of record for the horse "Tickle This Ivory" at the time of the violation.

For Trainer, Jaime G. Aldavaz, Sr., for a First Class 3B medication violation in a 365-day period the Board of Stewards hereby assess a penalty, issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows.

1. A 15 -day suspension of NMRC licenses from April 2, 2023, through April 16, 2023, inclusive.
2. A (500.00) Five hundred dollar fine to paid on or before April 30, 2023, in accordance with 15.2.1.9 (B) (7) (f) NMRC. Failure to pay in the prescribed time shall result in an immediate suspension.
3. In addition, Jaime G. Aldavaz had accumulated "0.0" points prior to this ruling and "2" points in connection with this ruling for a current total of "2"- points, under the multiple medication violation point system. No additional days given.

In accordance with 15.2.1.9 (C) (21) (b), Jaime G. Aldavaz, Sr. will be excluded from all areas and grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care of Jaime G. Aldavaz, Sr. 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 Jaime G. Aldavaz, Sr., must be done in accordance with 15.2.6.9 (A) (12)(a)(b) (c) Medication and Prohibited Substances.

In accordance with 15.2.6.9 (B) (2) Penalty Recommendations, the "Owner" Jaime G. Aldavaz, Sr., for a First Class 3B medication violation in a 365-day period. The Board of Stewards assess the following penalty:



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-SUN-68**
Track: Sunland Park
Ruling Date: 4/1/2023

Licensee: ALDAVAZ,SR JAIME G.
License Type: 2022 3 Year Trainer Applicant Id: 19631
License Number: 305154

1. The horse "Tickle This Ivory" is hereby disqualified from 2nd place and ordered unplaced in the 5th race on February 17, 2023, at Sunland Park racetrack for all but Pari-mutuel wagering.

The purse redistribution is as follows:

1st place – Nationally Ranked	6th place – Next Star
2nd place – Blood Moon Crest	7th place – Snafoo
3rd place – Mm Legs La Scoop	8th place – Miss Classy Eagle
4th place - Big Moon Dawg	9th place – First Moonwalk
5th place -Lota Dazzling Eagle	
Unplaced- "Tickle This Ivory"	

* The horse "Tickle This Ivory" must pass a commission approved examination before becoming eligible to be entered.

This ruling is written in accordance with: NMAC 15.2.1.9 B (3) (d); Due Process and Disciplinary Action; NMAC 15.2.3.8 B (1) (a-e) Stewards General Authority; NMAC 15.2.3.8 B (3) (a-k) Disciplinary Action; NMAC 15.2.5.12 B (1) Horse Ineligibility; NMAC 15.2.5.13 E (4) (d) Running of the Race; NMAC 15.2.6.9. A (7) B (2) (7) Penalty Recommendations; NMAC 15.2.6.9(C)(1)(3) Medication Restrictions; NMAC 15.2.6.11 A Trainer Responsibility; NMAC 16.47.1.8. T. Knowledge of Rules; NMAC 16.47.1.3 Statutory Authority; NMAC 16.47.1.8 (A)(1) License Required; NMAC 16.47.1.8 (A)(2) License Required; NMAC 16.47.1.8(N) Last Known Address; NMAC 16.47.1.8 U (1) Protection of horses; NMAC 16.47.1.10 B (1-3) Absolute Insurer.

NMAC 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 appeal is April 30, 2023.



Gary Terrien
State Steward

Board of Stewards

Violet Smith
State Steward



Leasa Johnson
Substitute Steward

By Order of The Sunland Park Stewards