

Ruling #: 2023-SRP-46
 Track SunRay Park
 Ruling Date: 5/26/2023

Licensee: SANCHEZ, LINDA

License Type: 2023 3 Year Owner

Applicant Id: 162913

License Number: 307756

Ruling # 2023-SRP-46

Action Type: Initial Ruling

Ruling:

Owner Linda Sanchez having been duly notified by certified mail, failed to appear before the Sunray Park Stewards forwards for an evidentiary hearing on May 26, 2023 at 11:00 a.m., the hearing was held in absentia via Teams.

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

15.2.3.5 B.(1)(C), (1)(C); STEWARDS:

(1)(C) 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

(3) (f) The stewards may order that a person be ineligible for licensing; or they may deny a license to a applicant on grounds set forth in the act or these rules. (g) The stewards shall submit a written report to the commission of every inquiry and hearing. (h) A stewards' ruling shall not prevent the commission from imposing a more severe penalty. (i) The stewards may refer any matter to the commission and may include 15.2.6.1.A.(3) recommendations for disposition. The absence of a steward's referral shall not preclude commission action in any matter.

15.2.5.1.A.(1)(5); HORSES INELIGIBLE:

(5) A horse shall be ineligible to start in a race when:

(a) it is wholly or partially owned by a disqualified person or a horse is under the direct or indirect training or management of a disqualified person; (6) it is wholly or partially owned by the spouse of a disqualified person or a horse is under the direct or indirect management of the spouse of a disqualified person, in each case, it being presumed that the disqualified person and spouse constitute a single financial entity with respect to the horse, which presumption may be rebutted;

15.2.6.1.A.(1)(A); MEDICATIONS AND PROHIBITED SUBSTANCES:

(1)(A) Penalties:

(1)(A) 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. This includes, but is not limited to, ensuring that horses are not transferred to a licensed person within the first degree of affinity (marriage relationship) or first degree of consanguinity (blood relationship):

(1)(A) First degree of affinity shall mean the licensee's spouse or spouse's mother, father, brother, sister, son or daughter;

16.4.1.3 (2)(1)(3):

(2)(1)(3) The commission may refuse to issue a license to an applicant, or may suspend or revoke a license

NEW MEXICO

New Mexico Racing Commission
5249 Alameda NE
Albuquerque, NM 87113

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issued, or other disciplinary measures, if the applicant:

(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;

(5) Any license denied, suspended or revoked by the commission pursuant to these rules shall state the time period for the effect of its ruling. When the action is taken for a misdemeanor or felony conviction, the time period shall be the period of the licensee's or applicant's imprisonment; or if not imprisoned, the period of probation, deferral, unless the person can satisfy the commission of sufficient rehabilitation. This rule shall also apply to licensees who voluntarily turn in their license because of, or in anticipation of, a conviction.

10A.11.1(1): Knowledge of rules:

All persons shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

The Board of Stewards hereby assess penalty as follows:

All licenses held by Linda Sanchez are hereby suspended. All horses owned by Linda Sanchez are considered ineligible to be entered or run.

15.2.1.9(B)(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 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: **June 5, 2023.**

By Order of The SunRay Park Stewards