



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-88**
Track: **Ruidoso Downs**
Ruling Date: **8/4/2023**

Licensee: **RINCON, OSCAR ARMANDO**
License Type: **2022 3 Year Owner** Applicant Id: **28478**
License Number: **304624**

Ruling # **2023-RUI-88**

Action Type: **Initial Ruling**

Ruling:

Owner Oscar Rincon having been duly notified and failed to appear, had his hearing held in absentia before the Ruidoso Downs Board of Stewards on August 4, 2023, for ponying and exercising racehorses without being properly licensed.

The Board of Stewards hereby assess penalty as follows:

1. For this rule violation, the Board of Stewards assessed Oscar Rincon a penalty in the amount of **Two Hundred & Fifty Dollars (\$250.00)**. The fine is to be paid on or before September 4, 2023, in accordance with 15.2.3.8(B) (3) (I) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

This ruling is written in accordance with:

16.47.1.8 GENERAL PROVISIONS: A. LICENSES REQUIRED: A person as defined by Subsection P, Paragraph (7) of 15.2.1.7 NMAC shall not participate in pari mutuel racing under the jurisdiction of the commission, or be employed by an association who is a gaming operator, without a valid license issued by the commission.

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 **August 14, 2023**.

By Order of The Ruidoso Downs Stewards

Robert Smith *Dr. R. A.*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-89**
Track: **Ruidoso Downs**
Ruling Date: **8/5/2023**

Licensee: **CARRIZALES, JR SANTOS**
License Type: **2021 3 Year Trainer** Applicant Id: **158393**
License Number: **301241**

Ruling # 2023-RUI-89

Action Type: Initial Ruling

Ruling:

Trainer **Santos Carrizales Jr.** having waived his 10-day notice and right to a formal hearing, appeared by phone before the Ruidoso Downs Board of Stewards on August 5, 2023, for scratching the horse "Succession" out of the 6th race (a claiming race) on August 5, 2023, because owner did not want to run in the race, causing a late scratch at Ruidoso Downs Racetrack.

The Board of Stewards hereby assesses penalty as follows:

A fine of Two Hundred Fifty Dollars (\$250.00) which must be paid on or before September 5, 2023.

15.2.4.8 CLAIMING RACES: C. Claiming of Horses:

(1) Any horse entered in a claiming race that is not present in the paddock at least 10 minutes to post will be scratched

16.47.1.10 TRAINERS: C. Other responsibility: (17) representing an owner in making entries and scratches and in all other matters pertaining to racing; horses entered as to eligibility and weight or other allowances claimed;

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

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 **August 15, 2023**."


By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-90**
Track: **Ruidoso Downs**
Ruling Date: **8/6/2023**

Licensee: **MEDELLIN, ALEJANDRO HERRERA**
License Type: **2022 3 Year Jockey** Applicant Id: **31173**
License Number: **303694**

Ruling # 2023-RUI-90

Action Type: Initial Ruling

Ruling:

Jockey **Alejandro Medellin** having been summoned and appeared before the Ruidoso Downs Board of Stewards on August 6, 2023, for striking a rival horse in the head, while aboard "I Get Stormed" in the 9th race on August 5, 2023, at Ruidoso Downs Racetrack, resulting in the disqualification of his mount from 2nd to 3rd.

For this violation, the Board of Stewards hereby assess **Alejandro Medellin** a suspension of **3 race days (August 13, 18, 19, 2023)**. The term of this suspension shall **not** prohibit participation 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.

15.2.5.E(2)(b) No jockey shall carelessly or willfully jostle, strike or touch another jockey or another jockey's horse or equipment.

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 or money order." **The last day to file an appeal is August 16, 2023**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-RUI-91
Track Ruidoso Downs
Ruling Date: 8/7/2023

Licensee: ALDRETE, HECTOR

License Type: Applicant Id: 35261
License Number:

Ruling # 2023-RUI-91

Action Type: Initial Ruling

Ruling:

Jockey, Hector Alderete is hereby summarily suspended, effective immediately August 6, 2023, pending the outcome of his summary suspension hearing scheduled on August 13, 2023 9:00 A.M. in the offices of the Board of Stewards at Ruidoso Downs Racetrack (26225 US Highway 70, Ruidoso Downs, NM 88346) per Summary Suspension 15.2.1.9 B (3) (a) (b) (c) Notice 15.2.1.9 B 4 (a), regarding being found in possession of an electrical device in the paddock prior to mounting his horse post position #1 "Jingle and Go" for the 10th race. During said time of applicable suspension, Jockey, Hector Alderete is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per Exclusion 15.2.1.9 C (21) (a) (b).

Licensee is found to be in violation of New Mexico State Statutes:
60-1A-11 A (1) & F. & 60-1A-28 B & D. (2)

Licensee is found to be in violation of NMAC and accordance with:

Stewards General Authority 15.2.3.8 B. (1) (a-e); Stewards Disciplinary Action (3) (a) (e); Knowledge of Rules 16.47.1.8. T. License Required / 16.47.1.8 (A) (1)(2); Changes in application information 6.47.1.8 N (1) Last Known Address 15.2.1.9 B 7 (d).

Use of Riding Crop 15.2.5.13 E. (6)(c) No electrical or mechanical device or other expedient designed to increase or retard the speed of a horse, other than the riding crop approved by the Stewards, shall be possessed by anyone, or applied by anyone to a horse at any time on the grounds of the Association during the meeting, whether in a race or otherwise.

Consent to Search and Seizure 16.47.1.8 E. By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents, and to the seizure of any prohibited medication, drugs, paraphernalia, or devices in accordance with State and Federal law.

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

(e) has been found in violation of rules governing racing in this state or other jurisdictions; (f) has been found to have made false or misleading statements to the commission.

(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.

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



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Ruling #: **2023-RUI-91**
Track Ruidoso Downs
Ruling Date: 8/7/2023

Licensee: ALDRETE, HECTOR

License Type:

Applicant Id: 35261
License Number:

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-92**
Track: Ruidoso Downs
Ruling Date: 8/7/2023

Licensee: FLORES, MANUEL BERNAL

License Type: Applicant Id: 165531
License Number:

Ruling # 2023-RUI-92

Action Type: Initial Ruling

Ruling:

Owner, Manuel B. Flores is hereby summarily suspended, effective immediately August 6, 2023, pending the outcome of his summary suspension hearing scheduled on August 15, 2023 10:00 a.m. in the offices of the Board of Stewards at Ruidoso Downs Racetrack (26225 US Highway 70, Ruidoso Downs, NM 88346) per Summary Suspension 15.2.1.9 B (3) (a) (b) (c) Notice 15.2.1.9 B 4 (a), Mr. Flores part owner of "Jingle and Go" (post position #1) was witnessed handing off an electrical device to his named Jockey, Hector Aldrete in the paddock area, prior to the 10th race. During said time of applicable suspension, Owner, Manuel B. Flores is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per Exclusion 15.2.1.9 C (21) (a) (b).

Licensee is found to be in violation of New Mexico State Statutes:

60-1A-11 A (1) & F.

60-1A-28 B. D. (2)

Licensee is found to be in violation of NMAC and accordance with:

Stewards General Authority 15.2.3.8 B. (1) (a-e); Stewards Disciplinary Action (3) (a) (e); Knowledge of Rules 16.47.1.8. T. License Required / 16.47.1.8 (A) (1)(2); Changes in application information 6.47.1.8 N (1) Last Known Address 15.2.1.9 B 7 (d).

Use of Riding Crop 15.2.5.13 E. (6)(c) No electrical or mechanical device or other expedient designed to increase or retard the speed of a horse, other than the riding crop approved by the Stewards, shall be possessed by anyone, or applied by anyone to a horse at any time on the grounds of the Association during the meeting, whether in a race or otherwise.

Consent to Search and Seizure 16.47.1.8 E. By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents, and to the seizure of any prohibited medication, drugs, paraphernalia, or devices in accordance with State and Federal law.

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

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



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4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-92**
Track Ruidoso Downs
Ruling Date: 8/7/2023

Licensee: FLORES, MANUEL BERNAL

License Type: Applicant Id: 165531
License Number:

By Order of The Ruidoso Downs Stewards

Trish Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-93**
Track: **Ruidoso Downs**
Ruling Date: **8/11/2023**

Licensee: **AMPARAN, FRANCISCO ALBERTO**
License Type: **2021 3 Year Jockey** Applicant Id: **34486**
License Number: **301590**

Ruling # 2023-RUI-93

Action Type: Initial Ruling

Ruling:

Jockey, **Francisco Amparan**, having been summoned and having appeared before the Board of Stewards on **August 11, 2023**, for careless riding during the running of the **7th race on August 6, 2023, at Ruidoso Downs Racetrack**, while aboard **"Band of Glory"**. (Drifted in down the stretch, inside the eighth pole, interfering with #4 Greatest Glory, resulting in the disqualification of his mount).

For this violation, the Board of Stewards assessed **Francisco Amparan** a 3-day racing suspension, August 18th, 19th and 20th, 2023. Mr. Amparan may ride in designated races.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(a) NMAC: Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

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

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 \$500. The fee must be in the form of cash, a cashier's check, or money order." The last day to file an appeal is **August 8, 2023**.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-94**
Track: Ruidoso Downs
Ruling Date: 8/12/2023

Licensee: **ORONA, SR MARTIN RODRIGUEZ**
License Type: **2022 3 Year Trainer** Applicant Id: **19384**
License Number: **306901**

Ruling # 2023-RUI-94

Action Type: Initial Ruling

Ruling:

Trainer **Martin Orona Sr.** having been duly notified and waived his right to a formal hearing on August 12, 2023, before the Board of Stewards regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive blood sample for the drug METHOCARBAMOL (Class 4 Penalty C) found in test sample E630841 taken from the 4th place finisher "El Quemadito" following the 5th race, on July 21, 2023 at Ruidoso Downs Racetrack, in Ruidoso Downs, New Mexico.

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

Mr. Martin Orona Sr. is the trainer of record for the horse "El Quemadito."

For Martin Orona Sr., 1st violation within a 365-day period for a class 4 penalty C drug violation, issued in accordance with 15.2.6.9 (B)(4)

The Board of Stewards hereby assess penalty as follows:

A (\$1000.00) One Thousand dollar fine. Fine to be paid on or before September 12, 2023, in accordance with 15.2.3.8 (B) (3) (1) NMRC. Failure to pay a fine in prescribed time will result in an immediate suspension until paid in full.

In addition, Martin Orona Sr. has accumulated "1/2 point" for 1st violation in 365 days, (Diclofenac) under the multiple medication violation point system. Per 15.2.6.9 (O)((7)

Martin Orona Sr. 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 August 22, 2023.**


By Order of The Ruidoso Downs Stewards





New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-95**
Track: Ruidoso Downs
Ruling Date: 8/12/2023

Licensee: MUNOZ, JESUS EFRAIN

License Type: 2021 3 Year Owner Applicant Id: 161047
License Number: 301228

Ruling # 2023-RUI-95

Action Type: Initial Ruling

Ruling:

Owner **Jesus Munoz**, having been duly notified and having his trainer, Martin Orona Sr., appear on his behalf and waive his right to a formal hearing on August 12, 2023, before the Board of Stewards regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed blood positive sample for the drug METHOCARBAMOL (Class 4 penalty C drug) found in test sample **E630841** taken from the horse "El Quemadito" who competed in the 5th race and finished 4th on July 21, 2023 at Ruidoso Downs Racetrack, in Ruidoso Downs, New Mexico.

Mr. Martin Orona Sr. is also the trainer of record for the horse "El Quemadito."

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

The Board of Stewards hereby order the purse to be redistributed as follows:

Official Order of finish:

1st -Hot Candy Mess

2nd-Quemados Royal Moon

3rd-Stable Mascot

4th-Hope for a Dynasty

5th-Chicks in the Meadow

6th-Foose Gold

7th-Daddies Superstar

8th-Bp Southern N Fancy

9th-Ezze Off

El Quemadito is hereby disqualified from 4th place and will be unplaced.

1. Must pass a commission approved exam prior to entry

No evidence was presented to disprove the findings of the NMRC.

Jesus Munoz 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) Penalty Recommendations.

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. The fee must be in the form of a money order or cashier's check. **Last date for appeal: August 22, 2023.**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
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Albuquerque, NM 87113

Ruling #: **2023-RUI-96**
Track: Ruidoso Downs
Ruling Date: 8/12/2023

Licensee: **SIGALA, ALFREDO S.**

License Type: **2021 3 Year Jockey** Applicant Id: **158216**
License Number: **303357**

Ruling # 2023-RUI-96

Action Type: Initial Ruling

Ruling:

Jockey, **Alfredo Sigala**, having been summoned and having appeared before the Board of Stewards on **August 12, 2023**, for careless riding during the running of the **12th race on August 11, 2023, at Ruidoso Downs Racetrack**, while aboard **"Cant Pass This One"**. (Drifted out mid-race, interfering with #4 Favorite Talladega, causing the rider to check to avoid clipping heels.)

For this violation, the Board of Stewards assessed **Alfredo Sigala** a 3-day racing suspension, August 19th, 20th and 25th, 2023. Mr. Sigala may ride in designated races.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(a) NMAC: Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

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

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 \$500. The fee must be in the form of cash, a cashier's check, or money order." The last day to file an appeal is **August 22, 2023**.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: **2023-RUI-97**
Track: Ruidoso Downs
Ruling Date: 8/13/2023

Licensee: RAMOS, CHRISTIAN
License Type: 2023 3 Year Jockey Applicant Id: 163067
License Number: 309115

Ruling # 2023-RUI-97

Action Type: Initial Ruling

Ruling:

Jockey, Christian Ramos, having been summoned and having appeared before the Board of Stewards on August 13, 2023, for careless riding during the running of the 11th race on August 12, 2023, at Ruidoso Downs Racetrack, while aboard "Jess Valiant Z". (Drifted out mid-race, causing a chain reaction, which cost #7 Tres the Favorite the opportunity of a better placing, resulting in the disqualification of his mount.)

For this violation, the Board of Stewards assessed Christian Ramos a 3-day racing suspension, August 20th, 25th and 26th, 2023. Mr. Ramos may ride in designated races.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(a) NMAC: Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

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

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 \$500. The fee must be in the form of cash, a cashier's check, or money order." The last day to file an appeal is **August 23, 2023**.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-98**
Track: Ruidoso Downs
Ruling Date: 8/18/2023

Licensee: FLORES, MARCO A.

License Type: 2021 3 Year Trainer Applicant Id: 33697
License Number: 301923

Ruling # 2023-RUI-98

Action Type: Initial Ruling

Ruling:

Trainer **Marco Flores** was duly notified and appeared before the Ruidoso Downs Board of Stewards on August 18, 2023. The hearing was regarding a lab report from Industrial Laboratories (the Official testing laboratory for the NMRC) to the confirmed positive of the Drug **3-hydroxylidocaine** at 553 pg/mL, Class 2 Penalty B, found in the blood of test sample E596176 taken from the horse "**Tempting Barbie**" the 1st place finisher in the 9th race on May 20, 2023, at SunRay Park Racetrack in Farmington NM.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to the trainer. Having been notified of his right to a Split Sample for E596176 that right was exercised. On June 22, 2023, the Split Sample E596176 was received by TVMDL. On July 28, 2023, TVMDL reported the Split Sample E596176 confirmed the presence of 3-hydroxylidocaine at 748.9 pg/mL +/- 393.7 pg/mL, a Class 2 Penalty B drug.

The Owner for the horse "Tempting Barbie" at the time of the violation was Javier Alvarez Jr.

Aggravating factor: 3-hydroxylidocaine is a Class 2 Penalty B medication.

Aggravating factor: Mr. Flores admitted to leaving Tempting Barbie unattended for two nights prior to the race.

Aggravating Factor: The level for 3-hydroxylidocaine was over 27 times the allowable amount of 20 pg/mL.

Note: Neither witnesses nor evidence were presented to disprove the findings of the New Mexico Racing Commission.

For **Marco Flores** first Class 2 Penalty B medication violation in a 365 Days the Board of Stewards hereby assess a penalty, issued in accordance with 15.2.6.9 (B)(1) Penalty Recommendations, as follows:

1. A sixty (60) Day Suspension with time served, retroactive from the date of summary suspension from June 11, 2023, thru August 10, 2023.
2. A fine of one thousand dollars (\$1,000.00), fine to be paid on or before Sunday, September 17, 2023, in accordance with 15.2.3.8 (B)(3)(I) NMAC. Failure to pay a fine in prescribed time will result in an immediate suspension.
3. In addition, Marco Flores has accumulated "0" points prior to this ruling and "2" points in connection with this ruling for a current total of "2" under



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-98**
Track **Ruidoso Downs**
Ruling Date: **8/18/2023**

Licensee: **FLORES, MARCO A.**

License Type: **2021 3 Year Trainer** Applicant Id: **33697**
License Number: **301923**

the multiple medication violation point system.

In accordance with 15.2.1.9 (C)(21), **Marco Flores** 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 **Marco Flores** 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 **Marco Flores** 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: 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) 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; 15.2.6.9 (O)(1) Multiple Medication Violations (MMV), NMAC 16.47.1.8 U (1) Protection of horses; NMAC 16.47.1.10 B (1-3) Absolute Insurer.

This ruling is written in accordance with: 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 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 August 28, 2023

David Smith
By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-99**
Track: Ruidoso Downs
Ruling Date: 8/18/2023

Licensee: **ALVAREZ, JR JAVIER**
License Type: 2022 3 Year Owner Applicant Id: 161556
License Number: 307277

Ruling # 2023-RUI-99

Action Type: Initial Ruling

Ruling:

Owner **Javier Alvarez Jr.** was duly notified and appeared before the Ruidoso Downs Board of Stewards on August 18, 2023. The hearing was regarding a lab report from Industrial Laboratories (the Official testing laboratory for the NMRC) to the confirmed positive of the Drug **3-hydroxylidocaine** at 553 pg/mL, Class 2 Penalty B and found in blood test sample E596176 taken from the horse "**Tempting Barbie**" the 1st place finisher in the 9th race on May 20, 2023, at SunRay Park Racetrack in Farmington NM. Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to the trainer and owner. Having been notified of his right to a Split Sample for E596176 that right was exercised. On June 22, 2023, the Split Sample E596176 was received by TVMDL. On July 28, 2023, TVMDL reported the Split Sample E596176 confirmed the presence of 3-hydroxylidocaine at 748.9 pg/mL +/- 393.7 pg/mL, a Class 2 Penalty B drug.

Marco Flores was the trainer of record for the horse "**Tempting Barbie**" at the time of the violation.

For **Javier Alvarez Jr.** 1st Class 2 B medication violation in a 365 Days the Board of Stewards hereby assess a penalty, issued in accordance with 15.2.6.9 (B)(1) Penalty Recommendations, as follows:

1. The horse "**Tempting Barbie**" is hereby disqualified from 1st place and ordered unplaced from the 9th race on May 20, 2023, at SunRay Park Racetrack for all but pari-mutuel wagering.
2. The horse "**Tempting Barbie**" must pass a commission approved examination before being eligible to enter.

The purse redistribution is as follows:

- 1) #3 One Little Liar
- 2) #1 Playin Quarters
- 3) #2 Hope Hes Special
- 4) #9 Eagles Diva
- 5) #4 Nola Brees
- 6) #7 Sheza Lil Ponte
- 7) #6 Monero
- 8) #5 Benkelman
- 9) #10 A and J Wild Card

Disqualified and Unplaced: #8 Tempting Barbie

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/



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-99**
Track Ruidoso Downs
Ruling Date: 8/18/2023

Licensee: ALVAREZ, JR JAVIER

License Type: 2022 3 Year Owner Applicant Id: 161556
License Number: 307277

15.2.3.8(B)(3)(k) Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMAC

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 \$400.00. The fee must be in the form of a cashier's Check, money order." The last day to file an appeal: **September 17, 2023.**


By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-100**
Track: Ruidoso Downs
Ruling Date: 8/18/2023

Licensee: RAMOS, ADRIAN ALFREDO
License Type: 2023 3 Year Jockey Applicant Id: 20427
License Number: 308781

Ruling # 2023-RUI-100

Action Type: Initial Ruling

Ruling:

Jockey Adrian Ramos, having been summoned and appeared before the Board of Stewards on August 18, 2023, for **excessive use of whip**, while aboard "Kj Leader Of the Pack" in the 12th Race **August 13, 2023**, at Ruidoso Downs, is found to be in violation of Commission rules.

For this violation (second offense), the Board of Stewards assessed Jockey Adrian Ramos, a fine in the amount of One Thousand Dollars. **(\$1,000.00)**. This fine is to be paid on or before **September 17, 2023**, in accordance with **15.2.3.8 (B)(3)(I)**. 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(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 August 28, 2023.**


By Order of The Ruidoso Downs Stewards





New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-RUI-101
Track: Ruidoso Downs
Ruling Date: 8/18/2023

Licensee: SOTO, SALVADOR RENTERIA
License Type: 2022 1 Year Trainer Applicant Id: 7872
License Number: 306243

Ruling # 2023-RUI-101

Action Type: Initial Ruling

Ruling:

Trainer Salvador Soto is hereby summarily suspended, effective immediately August 18, 2023, pending the outcome of his summary suspension hearing scheduled on August 27, 2023 at 9:00 A.M. in the offices of the Board of Stewards at Ruidoso Downs Racetrack (26225 US Highway 70, Ruidoso Downs, NM 88346) per 15.2.1.9 (B)(3)(b) (Summary Suspension) regarding an incident involving Dr. Lowe, of the NMRC, witnessing owner Ricardo Morales injecting the horse "Stoli Best Card Rme" via a needle and syringe, which is under the care of trainer Salvador Soto, with an unknown medication on race day, in his barn on August 18, 2023. During said time of applicable suspension, Salvador Soto is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per 15.2.1.9 (C)(21) (a-b) Exclusion.

Licensee is found in violation of and this ruling is written in accordance with: 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 **15.2.6.8 (B)(3) TREATMENT RESTRICTIONS:** No person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the commission, or a veterinary assistant licensed by the commission acting under the direct supervision of a licensed veterinarian, shall possess on any location under the jurisdiction of the commission any of the following unless approved by the commission (a) any drug which is a narcotic, stimulant, or depressant, or any other substance or medication that has been prepared or packaged for injection by a hypodermic syringe, or hypodermic needle **15.2.6.9(H)(1) Medical Labeling** No person on association grounds where horses are lodged or kept, excluding veterinarians licensed by the commission, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effect or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection **15.2.6.9(K)(1) Contraband** No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in that person's care, custody or control, a drug, medication, chemical, foreign substance or 15.2.6 NMAC 12 other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with Subsection H of 15.2.6.9 NMAC. This restriction includes, but is not limited to, locations on the association grounds where that person occupies, in that person's personal property, effects or vehicle. **15.2.6.C(3)** Except as otherwise provided by this part, a person may not administer or cause to be administered by any means to a horse a prohibited substance, including any restricted medication pursuant to this part during the 24-hour period before post time for the race in which the horse is entered.

16.47.1 U. Protection of horses: (1) Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication, or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules. (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. **16.47.1.8 (E) Consent to Search and Seizure** By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents, and to the seizure of any prohibited medication, drugs, paraphernalia, or devices in accordance with State and Federal law. **16.47.1.8 (L)(1)(i) Grounds for disciplinary measures** for a licensee, and refusal, denial, suspension, or revocation of a license 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 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. **16.47.1.10 B. Absolute insurer:** (1) The trainer is the absolute insurer of the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horses. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties. (2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules. (3) A trainer whose horse has been claimed remains the absolute insurer for the race in which the horse is claimed. 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



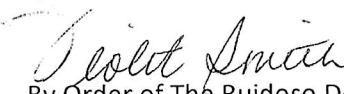
New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-101**
Track Ruidoso Downs
Ruling Date: 8/18/2023

Licensee: SOTO, SALVADOR RENTERIA

License Type: 2022 1 Year Trainer Applicant Id: 7872
License Number: 306243

15.2.2.8(V)(1) EJECTION AND EXCLUSION An association shall immediately eject from the association grounds a person who is subject to such an exclusion order of the commission or stewards and notify the commission of the ejection. Trainers 16.47.1.10.C(1)


By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-102**
Track **Ruidoso Downs**
Ruling Date: **8/18/2023**

Licensee: **MORALES, RICARDO**

License Type: **2021 3 Year Owner** Applicant Id: **136929**
License Number: **302527**

Ruling # **2023-RUI-102**

Action Type: **Initial Ruling**

Ruling:

Owner Ricardo Morales is hereby summarily suspended, effective immediately August 18, 2023, pending the outcome of his summary suspension hearing scheduled on August 27, 2023 at 9:30 A.M. in the offices of the Board of Stewards at Ruidoso Downs Racetrack (26225 US Highway 70, Ruidoso Downs, NM 88346) per 15.2.1.9 (B)(3)(b) (Summary Suspension) regarding an incident involving Dr. Lowe, of the NMRC, witnessing owner Ricardo Morales injecting the horse "Stoli Best Card Rme" via a needle and syringe, which is under the care of trainer Salvador Soto, with an unknown medication on race day, in Mr. Soto's barn on August 18, 2023. During said time of applicable suspension, Ricardo Morales is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per 15.2.1.9 (C)(21) (a-b) Exclusion.

Licensee is found in violation of and this ruling is written in accordance with: 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 **15.2.6.8 (B)(3) TREATMENT RESTRICTIONS:** No person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the commission, or a veterinary assistant licensed by the commission acting under the direct supervision of a licensed veterinarian, shall possess on any location under the jurisdiction of the commission any of the following unless approved by the commission(a) any drug which is a narcotic, stimulant, or depressant, or any other substance or medication that has been prepared or packaged for injection by a hypodermic syringe, or hypodermic needle **15.2.6.9(H)(1) Medical Labeling** No person on association grounds where horses are lodged or kept, excluding veterinarians licensed by the commission, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effect or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection **15.2.6.9(K)(1) Contraband** No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in that person's care, custody or control, a drug, medication, chemical, foreign substance or 15.2.6 NMAC 12 other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with Subsection H of 15.2.6.9 NMAC. This restriction includes, but is not limited to, locations on the association grounds where that person occupies, in that person's personal property, effects or vehicle. **15.2.6.C(3)** Except as otherwise provided by this part, a person may not administer or cause to be administered by any means to a horse a prohibited substance, including any restricted medication pursuant to this part during the 24-hour period before post time for the race in which the horse is entered. 16.47.1.18 (B) ASSESSMENT/TREATMENT REQUIREMENTS GENERAL FIRST-TIME OFFENDERS 16.47.1.17 (A)(3) TESTING PROCEDURES No notice need be given as to onset or cessation of random testing. 16.47.1.8 (E) Consent to Search and Seizure By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents, and to the seizure of any prohibited medication, drugs, paraphernalia, or devices in accordance with State and Federal law. 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license 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 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. 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 15.2.2.8(V)(1) EJECTION AND EXCLUSION An association shall immediately eject from the association grounds a person who is subject to such an exclusion order of the commission or stewards and notify the commission of the ejection. Trainers 16.47.1.10.C(1)

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-103**
Track: Ruidoso Downs
Ruling Date: 8/19/2023

Licensee: **ARREDONDO, GABRIEL**

License Type: **2022 1 Year Jockey** Applicant Id: **163804**
License Number: **306153**

Ruling # 2023-RUI-103

Action Type: Initial Ruling

Ruling:

Jockey Gabriel Arredondo, having been summoned and appeared before the Board of Stewards on August 19, 2023, for striking his mount in the post parade, while aboard "Copy Me Fast" in the 3rd race on August 18, 2023 at Ruidoso Downs Racetrack, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, Gabriel Arredondo, a fine in the amount of **Two Hundred dollars, (\$200.00)**. This fine is to be paid on or before September 18, 2023 in accordance with **15.2.3.8 (B)(3)(I)**. 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(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 or money order." **The last day to file an appeal is August 29, 2023**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-104**
Track: **Ruidoso Downs**
Ruling Date: **8/19/2023**

Licensee: **TAPIA, EMILIO MANUEL**

License Type: **2023 3 Year Jockey** Applicant Id: **30412**
License Number: **308747**

Ruling # 2023-RUI-104

Action Type: Initial Ruling

Ruling:

Jockey, **Emilio Tapia**, having been summoned and having appeared before the Board of Stewards on **August 19, 2023**, for careless riding during the running of the **5th race on August 18, 2023, at Ruidoso Downs Racetrack**, while aboard **"Jess One Hot Chick"**. (Drifted out mid-race, into the path of #6 First of Fire, bumping and causing #6 to check, costing her the opportunity of a better placing, resulting in the disqualification of his mount.)

For this violation, the Board of Stewards assessed **Emilio Tapia** a 3-day racing suspension, August 27th, September 1st, and September 2nd, 2023. Mr. Tapia may ride in designated races.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(a) NMAC: Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

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

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 \$500. The fee must be in the form of cash, a cashier's check, or money order." The last day to file an appeal is **August 29, 2023**.


By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-105**
Track: **Ruidoso Downs**
Ruling Date: **8/19/2023**

Licensee: **BECERRA, JR SERGIO**

License Type: **2023 3 Year Jockey** Applicant Id: **32539**
License Number: **307992**

Ruling # **2023-RUI-105**

Action Type: **Initial Ruling**

Ruling:

Jockey, **Sergio Becerra Jr.**, having been summoned and having appeared before the Board of Stewards on **August 19, 2023**, for careless riding during the running of the **6th race on August 13, 2023, at Ruidoso Downs Racetrack**, while aboard **"Fearless Moon"**. (Drifted out mid-race, into the path of #5 Blues Girl, causing #5 to switch leads and alter course, costing her the opportunity of a better placing, resulting in the disqualification of his mount.)

For this violation, the Board of Stewards assessed **Sergio Becerra Jr.** a 3-day racing suspension, August 27th, September 1st, and September 2nd, 2023. Mr. Becerra may ride in designated races.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(a) NMAC: Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

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

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 \$500. The fee must be in the form of cash, a cashier's check, or money order." The last day to file an appeal is **August 29, 2023**.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-106**
Track **Ruidoso Downs**
Ruling Date: **8/19/2023**

Licensee: **AVILA, JR DANIEL**

License Type: **2023 3 Year Jockey** Applicant Id: **163609**
License Number: **308798**

Ruling # **2023-RUI-106**

Action Type: **Initial Ruling**

Ruling:

Jockey, **Daniel Avila Jr.**, having been summoned and having jockey Juan Arellano represent him in his absence, before the Board of Stewards on **August 19, 2023**, for careless riding during the running of the **10th race on August 18, 2023, at Ruidoso Downs Racetrack**, while aboard **"Jess Makes Money"**. (Drifted out mid-race, into the path of #6 Title Wavve, causing #6 to check and alter course.)

For this violation, the Board of Stewards assessed **Daniel Avila Jr.** a 3-day racing suspension, August 27th, September 1st, and September 2nd, 2023. Mr. Avila may ride in designated races.

Licensee is found in violation of:

15.2.5.13(E)(2)(a) NMAC: Post to Finish Which states in pertinent part that "A jockey shall not ride carelessly or willfully so as to permit his/her mount to interfere with, impede or intimidate any other horse in the race."

15.2.5.13(E)(3)(a) NMAC: Which states in pertinent part that "When the way is clear in a race, a horse may be ridden to any part of the course, but if any horse swerves, or is ridden to either side, so as to interfere with, impede, or intimidate any other horse, it is a foul."

This ruling is written in accordance with:

15.2.5.13(E)(3)(c) NMAC: Post to Finish Which states in pertinent part that "If the Stewards determine the foul was intentional, or due to careless riding, they may fine or suspend the guilty jockey."

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

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 \$500. The fee must be in the form of cash, a cashier's check, or money order." The last day to file an appeal is **August 29, 2023**.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-RUI-107
Track Ruidoso Downs
Ruling Date: 8/20/2023

Licensee: CARRIZALES, MARCOS

License Type: 2023 1 Year Assistant T Applicant Id: 158380
License Number: 309409

Ruling # 2023-RUI-107

Action Type: Initial Ruling

Ruling:

Assistant Trainer Marcos Carrizales is hereby summarily suspended, effective immediately August 20, 2023, after he failed a drug (urine) test on August 19, 2023 at Ruidoso Downs Racetrack with the Chief of Security. Mr. Carrizales will remain suspended pending the outcome of his summary suspension hearing scheduled on August 26, 2023, at 9:00 A.M. in the offices of the Board of Stewards at Ruidoso Downs Racetrack (26225 US Highway 70, Ruidoso Downs, NM 88346) per 15.2.1.9 (B)(3)(b) (Summary Suspension). During said time of applicable suspension, Marcos Carrizales is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per 15.2.1.9 (C)(21) (a-b) Exclusion.

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

15.2.1.9(B)(3)(B) Proceedings Before The Stewards: 16.47.1.18 (A)(2) TESTING PROCEDURES 16.47.1.18(A)(3) TESTING PROCEDURES 16.47.1.17 (C)(3) Human Drug Testing/ Restricted Activities 16.47.1.17 (C)(7) Human Drug Testing/ Restricted Activities 16.47.1.8(E) Consent To Search And Seizure 16.47.1.8(N) Changes In Application Information 15.2.2.8(V)(1) EJECTION AND EXCLUSION 16.47.1.8 (L)(1)(I) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license 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 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.

(3) If a professional assessment indicates presence of a treatable problem of alcohol or other drug abuse or dependence, the board of stewards or the commission may order the licensee to undergo treatment as a condition of continuing licensure. Such treatment will be through a program or by a practitioner, acceptable to the licensee and the board of stewards or the commission. Required features of any program or practitioner acceptable to the board of stewards or the commission will be: accreditation or licensure by an appropriate government agency, if required by state statute; a minimum of one year follow-up treatment; and, a formal contract indicating the elements of the treatment and follow-up program that will be completed by the licensee and, upon completion, certified to the board of stewards or the commission as completed.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-RUI-108**
Track **Ruidoso Downs**
Ruling Date: **8/20/2023**

Licensee: **MONTOYA, ANTHONY PHILLIP**
License Type: **2023 3 Year Trainer** Applicant Id: **28421**
License Number: **309223**

Ruling # 2023-RUI-108

Action Type: Initial Ruling

Ruling:

Trainer Anthony Montoya having been duly notified and having waived his right to a formal hearing, via telephone, before the Board of Stewards on August 20, 2023, for failure to have the horse "Tm Taki Taki" treated with furosemide, resulting in a late scratch and pari-mutuel refund in the 11th race on August 19, 2023, at Ruidoso Downs Race Track.

For this rule violation, the Board of Stewards assessed Osman Iturralde a penalty in the amount of Five Hundred Dollars (\$500.00). The fine is to be paid on or before September 19, 2023, in accordance with 15.2.3.8(B)(3)(1) NMAC. Failure to pay the fine within the time prescribed will result in immediate suspension.

Licensee is found in violation of:

15.2.6.(D)(3) The use of furosemide shall be permitted under the following circumstances on association grounds where a detention barn is not utilized: furosemide shall be administered by the official veterinarian, the racing veterinarian, or practicing veterinarian no less than four hours prior to post in which a horse is entered; the horse must be logged in at the stable gate with time and location no less than one hour prior to administration; the furosemide dosage administered shall not exceed 500 milligrams nor be less than 150 milligrams; the trainer of the treated horse shall cause to be delivered to the official veterinarian or their designee no later than one hour prior to post time for the race for which the horse is entered the following information under oath on a form provided by the commission: the racetrack name, the date and time the furosemide was administered to the entered horse; the dosage amount of furosemide administered to the entered horse; the printed name and signature of the attending licensed veterinarian who administered the furosemide.

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): 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 \$500. The fee must be in the form of cash, a cashier's check, money order or personal check."

Last day for appeal: **August 30, 2023.**


By Order of The Ruidoso Downs Stewards

