

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

Date: May 11, 2023, at 1:00 p.m.

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

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

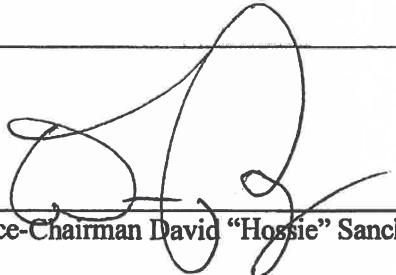
NMRC Staff Participating: Executive Director Ismael Trejo, In-House Counsel Richard Bustamante and Law Clerk Denise Chavez.

Also Present: Assistant Attorney General Daniel Rubin

<i>AGENDA ITEM</i>	<i>RECORDING #</i>	<i>DISCUSSIONS/CONCLUSIONS/ RECOMMENDATIONS</i>	<i>ACTION TAKEN</i>
Public Session 1: 1. Call to Order and Roll Call		Meeting called to order at 1:00 p.m. by Vice-Chairman Sanchez. Roll call was taken by Denise Chavez. Executive Director Ismael Trejo (via telephone), In-House Counsel Richard Bustamante, NMRC Law Clerk, Denise Chavez, and Assistant Attorney General Daniel Rubin were also present. Commissioner Robert “Bob” Pitre was not present at this Special Meeting.	No Action Taken.
2. Pledge of Allegiance			Pledge of Allegiance was recited.
3. Approval of Agenda			Motion to Approve Agenda as submitted made by

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			Commissioner Smith. Motion seconded by Commissioner Buffington. Motion passed unanimously.
<p>4. Race Review: IMO: Jose E. Meraz – Race #9 on May 5, 2023 at SunRay Park.</p>		<p>NM Racing Commission Steward Larry Fontenot, Jr. was present today to present the SunRay Park Board of Stewards evidence. Also present was Mr. Jose E. Meraz, who brought forth the race appeal, Owner, Adrian Torres and Jockey on horse #5, “Eb Diego Go”, Cristian Reyes. Steward Fontenot, Mr. Meraz, Mr. Torres and Mr. Reyes were all sworn in to tell the truth and nothing but the truth by AAG Rubin.</p> <p>The NM Racing Commission heard arguments from all parties and reviewed multiple angles of the video several times of race #9 that ran on May 5, 2023, at SunRay Park. Steward Fontenot testified after the State Stewards reviewed the films, it was determined that horse #8, “Frawwwg” drifted in sharply (under a right-hand whip) toward horse #5, “Eb Diego Go” causing him to steady and alter course thus losing ground and a better placing. He cited rule: 15.2.5.13(E)(3)(d) and 15.2.5.13(E)(4)(a) NMAC and pointed out that there does not have to be physical contact to have intimidation.</p>	<p>Motion to uphold the SunRay Board of Stewards’ Decision made by Commissioner Buffington. Motion seconded by Commissioner Smith. Motion passed unanimously.</p>

		<p>Mr. Meraz, Mr. Torres and Mr. Reyes also had the opportunity to present evidence and arguments regarding the ruling of the SunRay Park Board of Stewards that day.</p> <p>The Commission ruled in open-session and found "based on the totality of evidence reviewed, the preponderance of the evidence shows horse #8 "Frawwwg" did violate Rules 15.2.5.13(E)(3)(d) and 15.2.5.13(E)(4)(a) NMAC and intimidated Horse #5, "Eb Diego Go" causing him to steady, alter course and lose ground causing him a better placing. Accordingly, the Commission upheld the decision of the SunRay Park Board of Stewards in this matter.</p>	
7. Adjournment at 1:33 PM			<p>Motion to adjourn the Special Meeting (Race Review) made by Commissioner Buffington. Motion seconded by Commissioner Smith. Motion passed unanimously.</p>


 Vice-Chairman David "Hossie" Sanchez Date 9/6/2023


 Executive Director Ismael Trejo Date 9-6-23