



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2023-DAA-56**  
Track: Downs at Albuquerque  
Ruling Date: 10/18/2023

Licensee: ASCENCIO, JR ARNULFO

License Type: 2020 3 Year Owner      Applicant Id: 23046  
License Number: 300143

Ruling #            2023-DAA-56  
Action Type:      Case Continued  
Ruling:  
RE: 2023-DAA-56 - Case Continued

Trainer Arnulfo Ascencio Jr appeared telephonically for a Summary Suspension Hearing on October 27th, 2023, @ 9:00 a.m. with the Board of Stewards at the Downs at Albuquerque, 145 Louisiana Blvd, Albuquerque NM 87108 per 15.2.1.9 (B)(3)(b) Summary Suspension. The summary suspension was in regard to a confirmed positive of the Class 3 drug, Penalty Class A Prohibited Substance, Clenbuterol, found in the blood, sample # E625947 taken from the 2nd place finisher, "Work Ethic," in the 4th race on September 27th, 2023, at The Downs at Albuquerque Racetrack. The Board of Stewards has continued this case pending results from the split sample. Furthermore, the board of stewards determined that Mr. Arnulfo Ascencio Jr shall remain summarily suspended pending the outcome of his disciplinary hearing.

In accordance with 15.2.1.9 (C)(21), Trainer Arnulfo Ascencio Jr 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 Arnulfo Ascencio Jr 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 Arnulfo Ascencio Jr must be done in accordance with 15.2.6.9A(12)(a)(b) Medication and Prohibited Substances, 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:**

15.2.6.9(C)(8)(a)(9)(10)(a)(b)(c)(d) Medication Restrictions

15.2.6.9(A)(4) MEDICATIONS AND PROHIBITED SUBSTANCES Penalties Any drug or metabolite thereof found to be presenting a pre- or post-race sample, which is not classified in the association of racing commissioners international uniform classification guidelines for foreign substances, shall be assumed to be an association of racing commissioners international class 2 drug and the trainer and owner shall be subject to those penalties as set forth in penalty category A unless satisfactorily demonstrated otherwise by the racing medication and testing consortium, with a penalty category assigned.

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.

16.47.1.8 (U)(1) PROTECTION OF HORSES 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



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level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules.

16.47.1.8(U)(2) Protection of horses 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.

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

16.47.1.8 (L)(1)(g) has had or is currently excluded from association grounds by a recognized racing jurisdiction;

(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.

15.2.1.9(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

15.2.6.9(B)(1)Penalty Recommendations /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 / 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

By Order of The Downs at Albuquerque Stewards