



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-DAA-47
Track Downs at Albuquerque
Ruling Date: 10/14/2023

Licensee: SMITH, DUSTIN Y

License Type: 2023 1 Year Outrider Applicant Id: 164753
License Number: 307704

Ruling # 2023-DAA-47

Action Type: Initial Ruling

Ruling:

Outrider Dustin Smith, NMRC Outrider License is hereby rescinded, he is no longer working in that capacity.

This ruling is in accordance with:

16.47.1.8 (M)(2)NMAC: Which states in pertinent part "A license is valid only under the condition that the licensee remains eligible to hold such a license

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-DAA-48**
Track: Downs at Albuquerque
Ruling Date: 10/15/2023

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

Ruling # 2023-DAA-48

Action Type: Initial Ruling

Ruling:

Jockey, Alejandro Medellin, having been summoned and having appeared before the Board of Stewards on October 15, 2023, for careless riding during the running of the 4th race on October 14, 2023, at The Downs at Albuquerque Racetrack, while aboard "Grease Missile". Mr. Medellin allowed his mount to drop over into the the path of # 6 Salation and #4 Ferrari Red causing both riders to check their mounts.

For this violation, the Board of Stewards assessed Alejandro Medellin, a 3-day racing suspension, October 27, 28, 29, 2023. Alejandro Medellin, 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 \$400. The fee must be in the form of cash, a cashier's check, or money order." The last day to file an appeal is **October 25, 2023.**

RULING
2023-DAA-49
ISSUED
IN
ERROR

RULING
2023-DAA-50
ISSUED
IN
ERROR

RULING
2023-DAA-51
ISSUED
IN
ERROR

RULING
2023-DAA-52
ISSUED
IN
ERROR

RULING
2023-DAA-53
ISSUED
IN
ERROR



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: 2023-DAA-54
Track Downs at Albuquerque
Ruling Date: 10/18/2023

Licensee: DUARTE, CHRISTINA DAWN

License Type: 2023 1 Year Pari Mutue Applicant Id: 165696
License Number: 310005

Ruling # 2023-DAA-54

Action Type: Initial Ruling

Ruling:

Pari Mutual employee, Christina Duarte, having been duly notified and failing to appear for this hearing, was held absentia before the Board of Stewards on October 18, 2023, at The Downs at Albuquerque Racetrack, for failing to disclose arrest warrant.

For this violation, the Board of Stewards has hereby rescinded the license of Christina Duarte as of October 18, 2023. An appearance before the board of stewards once everything has been taken care of..

Licensee is found to be in violation of:

16.47.1.8 (L)(1) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE.

This ruling is written in accordance with:

15.2.3.8 B (3)(f) 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:

16.47.1.8 (L)(1)(d) GROUNDS 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)(F) CONDUCT 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 been found to have made false or misleading statements to the commission, stewards, or any racing official

This ruling is written in accordance with:

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



New Mexico Racing Commission
4900 Alameda NE
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Ruling #: **2023-DAA-54**
Track Downs at Albuquerque
Ruling Date: 10/18/2023

Licensee: DUARTE, CHRISTINA DAWN

License Type: 2023 1 Year Pari Mutue Applicant Id: 165696
License Number: 310005

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 cash, a cashier's check or money order." Last day to appeal: October 28, 2023.

By Order of The Downs at Albuquerque Stewards



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Ruling #: 2023-DAA-55
Track Downs at Albuquerque
Ruling Date: 10/18/2023

Licensee: RAMOS, CHRISTIAN

License Type: 2023 3 Year Jockey Applicant Id: 163067
License Number: 309115

Ruling # 2023-DAA-55

Action Type: Initial Ruling

Ruling:

Jockey **Christian Ramos**, having been summoned and appeared before the Board of Stewards on **October 18, 2023**, for **failure to give best effort** (standing up before the wire and costing his mount the opportunity of a better placing) while aboard "**Diabolical Ruler**" in the **4th Race October 15, 2023**, at The Downs at Albuquerque Racetrack is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed, **Christian Ramos**, a fine in the amount of **One Thousand Dollars, (\$1000.00) and a 14-day suspension starting 10/19/2023 thru 11/01/2023 cannot ride in designated races** This fine is to be paid on or before **November 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 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.

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 October 28, 2023**

By Order of The Downs at Albuquerque Stewards



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: Initial Ruling

Ruling:

Trainer, Arnulfo Ascencio Jr is hereby summarily suspended, effective immediately, October 18th, 2023, pending the outcome of his summary suspension hearing scheduled Friday, October 27th, 2023, at 9:00 am in the office of 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 is regarding the confirmed positive of the Class 3 penalty A drug, Clenbuterol, found in the blood in test sample E625947 taken from the Quarter Horse "Work Ethic", who finished in 2nd place in the 4th race on September 27, 2023, at the NMSF.

There is no permissible concentration of Clenbuterol allowed to appear in any official sample.

In accordance with 15.2.1.9 (C)(21), 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, 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:

15.2.6.9 NMAC Attachment #1 ARCI Uniform Classification of Substances-Version 14.4-December 2020- 15.2.6.9(C)(8)(a)(9)(10)(a)(b)(c)(d) Medication Restrictions 15.2.6.9(B)(1) Penalty Recommendations 15.2.1.7(C)(8) "Controlled substance" is any substance included in the five classification schedules of the (U.S.) Controlled Substance Act of 1970. 15.2.6.9(C)(4) There is no permissible concentration of, clenbuterol that is allowed to appear in any official sample. 16.47.1.8 (U)(1)(2) PROTECTION OF HORSES 16.47.1.10(B)(1)(2) Absolute Insurer 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license 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



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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

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
allowed to appear in any official sample.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-DAA-57**
Track: Downs at Albuquerque
Ruling Date: 10/20/2023

Licensee: QUIROZ, FILIBERTO TEJEDA
License Type: 2023 3 Year Trainer Applicant Id: 159461
License Number: 308535

Ruling # 2023-DAA-57

Action Type: Initial Ruling

Ruling:

Trainer Filberto Quiroz having been duly notified and having waved his 10-day notice and formal hearing before the Board of Stewards on October 20, 2023, for not having a current Coggins for the horse "Our Soaring Angel" for the 7th race on October 18, 2023, at The Downs at Albuquerque which resulted in a late scratch.

The Board of Stewards hereby assesses penalty as follows:

1. A fine of Five Hundred Dollars (\$500.00) which must be paid on or before November 19, 2023.

*Licensee is found to be in violation of and this ruling is written in accordance with
15.2.5.12(A)(26) HORSES INELIGIBLE:*

A. A horse shall be ineligible to start in a race when:

(26) there is no current negative test certificate for equine infectious anemia on file with the racing office, as required by the commission

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 October 30, 2023.

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-DAA-58
Track Downs at Albuquerque
Ruling Date: 10/20/2023

Licensee: VALDEZ, JR MARTIN MANUEL

License Type: 2022 3 Year Trainer Applicant Id: 32891
License Number: 304820

Ruling # 2023-DAA-58

Action Type: Initial Ruling

Ruling:

Trainer Martin Valdez-Cabral Jr having been duly notified and having waived his 10-day notice telephonically before the Downs at Albuquerque Park Board of Stewards on October 20, 2023, for failing to have his horse "Serpico R S S" present in the paddock ten minutes prior to post time of a claiming race, which was the 8th race on October 18, 2023, causing a late scratch at Downs at Albuquerque Racetrack.

15.2.4.8 Claiming of Horses: C (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: (23) personally attending to their horses in the paddock and supervising the saddling thereof, unless excused by the stewards; if the trainer is excused, the trainer must secure another trainer or assistant trainer who is licensed by the commission to assume those duties.

The Board of Stewards hereby assesses penalty as follows:

1. A fine of Five Hundred Dollars (\$500.00) which must be paid on or before November 19, 2023.

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 October 30, 2023.**

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-DAA-59**
Track: Downs at Albuquerque
Ruling Date: 10/21/2023

Licensee: **GASPAR, HECTOR**

License Type: **2023 1 Year Pony Perso** Applicant Id: **165608**
License Number: **309685**

Ruling # 2023-DAA-59

Action Type: Initial Ruling

Ruling:

Pony Person Hector Gaspar, having been duly notified and failed to appear for his hearing at The Downs of Albuquerque stewards' office. This hearing was held in absentia before the Board of Stewards on October 21, 2023, regarding his background check. The background check showed he had an active warrant from Homeland Security and failure to disclose it on his licensing application. The Stewards determined Mr. Hector Gaspar will be suspended and referred to the New Mexico Racing Commission for review of felony convictions and future licensing consideration.

Licensee is found to be in violation of:

16.47.1.8 (L)(1) GROUNDS FOR REFUSAL, DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE.

16.47.1.8 (L)(1)(a)(b)(f)(i) CONDUCT

16.47.1.8 (L)(1)(d) Grounds for Disciplinary Measures

16.47.1.8.2 (M)(2) Duration of License: (2) A license is valid only under the condition that the licensee remains eligible to hold such license

This ruling is written in accordance with:

15.2.3.8 B (3)(f) 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

16.47.1 M(2) Duration of License

16.47.1.8(L)(2) Written Notice Of Suspension Or Revocation To Licensee And Other Jurisdictions

By Order of The Downs at Albuquerque Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-DAA-60**
Track: Downs at Albuquerque
Ruling Date: 10/22/2023

Licensee: GONZALEZ, ANDRES SIJIFREDO
License Type: 2023 3 Year Trainer Applicant Id: 28171
License Number: 308408

Ruling # 2023-DAA-60

Action Type: Initial Ruling

Ruling:

Trainer Andres Gonzalez having been duly notified appeared and having waived his 10-day notice and formal hearing before the Board of Stewards on October 22, 2023, failure to have a flipping halter on the horse "Toby the Triger" in the 5th race on October 20, 2023, necessitating a late scratch and mutuel refund at The Downs at Albuquerque.

The Board of Stewards hereby assesses penalty as follows:

1.A fine of Five Hundred Dollars (\$500.00) which must be paid on or before November 21, 2023.

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

15.2.5.8 (B)(10) Procedure for Entries Any approved change of equipment must be declared at time of entry. Any changes after that time must be approved by the stewards.

15.2.5.8 (B)(6) Procedure for Entries No alteration may be made in any entry after the closing of entries, but an error may be corrected with permission of the stewards

15.2.6.11(E)(10)Trainer Responsibility The trainer is responsible for ensuring proper bandages, equipment, and shoes.

16.47.1.10 (C) (17) TRAINER 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.

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 November 1, 2023.**

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