



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-NMS-2**
Track: New Mexico State Fair
Ruling Date: 10/21/2023

Licensee: **HINOJOS, ALVARO**
License Type: 2022 3 Year Trainer Applicant Id: 27309
License Number: 305251

Ruling # 2023-NMS-2

Action Type: Final Outcome

Ruling:

RE: 2023-NMS-2 - Ruling Final Outcome

Trainer **Alvaro Hinojos** having been duly notified and appeared before Zia Park Racetrack Board of Stewards (3901 W Millen Dr. Hobbs. NM 88240) on December 17, 2023 to waive his 10 day notice and formal hearing, regarding a lab report from Industrial Laboratories (the Official testing laboratory for the NMRC) for a confirmed positive for the drug Clenbuterol (Class 3 penalty A) found in the blood for test sample E626015, obtained from the horse "Big Eye" who finished 1st place in the on October 8, 2023, at the Downs at Albuquerque Racetrack.

Aggravating Factors: Failure to guard.

Mitigating Factors: First medication violation in 365 days.

Split Sample rights were afforded to the trainer. Split Sample E626015 was submitted to UC Davis at the request of the trainer and was confirmed positive for Clenbuterol.

Alvaro Hinojos is the trainer of record for "Big Eye".

After hearing the facts of the case and testimony, and considering all Mitigating and Aggravating factors the Zia Park Board of Stewards determined the following:

1. Mr. **Alvaro Hinojos** is hereby fined **\$10,000.00 (Ten Thousand)**. Fine to be paid on or before January 17th, 2024, in accordance with 15.2.1.9 (B)(7) (f). Failure to pay the fine in the prescribed time shall result in an immediate suspension.
2. A **suspension of one (1) year**. The term of this suspension will start retroactive from summary suspension dated **October 21, 2023, through October 20, 2024**.
3. In addition, **Alvaro Hinojos** had accumulated "0" points prior to this ruling and "6" points in connection with this ruling for a current total of "6"- points, under the multiple medication violation point system.

NMAC 16.19.20.67 SCHEDULE III
Miscellaneous (D)(3) Clenbuterol

15.2.5.13 e(4)(D) running of the race
E. Post to finish
(4) Disqualification



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(d) The stewards may determine that a horse shall be unplaced for the purpose of purse distribution and trial qualification.

In accordance with **15.2.1.9 (C)(21)**, **Alvaro Hinojos** will be excluded from all areas and grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses **owned, trained, or under the care of Alvaro Hinojos 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 Alvaro Hinojos** must be done in accordance with **15.2.6.9A(12)(a)(b) Medication and Prohibited Substances.**

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) (7) 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; NMAC 16.47.1.3 Statutory Authority; NMAC 16.47.1.8 (A)(1)(B) (1) a through (e) (2.3)(a thru k)License Required; NMAC 16.47.1.8 (A)(2) License Required; NMAC 16.47.1.8(N) Last Known Address; NMAC 16.47.1.8 U (1) Protection of horses; NMAC 16.47.1.10 B (1-3) Absolute Insurer.

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 December 27, 2023.

By Order of The New Mexico State Fair Stewards