



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-32
Track Zia Park
Ruling Date: 12/5/2023

Licensee: WOOLLEY, JR BENNIE LEE
License Type: 2022 3 Year Trainer Applicant Id: 34470
License Number: 303504

Ruling # 2023-ZIA-32

Action Type: Initial Ruling

Ruling:

Trainer Bennie Woolley Jr having been duly notified appeared and having waived his 10-day notice and formal hearing telephonically before the Board of Stewards on December 5, 2023, failure to have a flipping halter on the horse "Reckoning Day" in the 5th race on December 4, 2023, necessitating a late scratch and mutuel refund at ZIA PARK RACETRACK.

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 January 5, 2024.

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 December 15, 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-ZIA-33**
Track: Zia Park
Ruling Date: 12/5/2023

Licensee: LAMBERT, CASEY TODD

License Type: 2021 3 Year Trainer Applicant Id: 25033
License Number: 303427

Ruling # 2023-ZIA-33

Action Type: Initial Ruling

Ruling:

Trainer Casey Lambert having been duly notified appeared and having waived his 10-day notice and formal hearing telephonically before the Board of Stewards on December 5, 2023, failure to have a flipping halter on the horse "Deck Humor" in the 7th race on December 5, 2023, necessitating a late scratch and mutuel refund at ZIA PARK RACETRACK.

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 January 5, 2024.

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 December 15, 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-ZIA-34**
Track: Zia Park
Ruling Date: 12/8/2023

Licensee: **QUIROZ JR, JOEL**

License Type: **2021 3 Year Jockey** Applicant Id: **163651**
License Number: **302047**

Ruling # **2023-ZIA-34**

Action Type: **Initial Ruling**

Ruling:

Jockey: **Joel Quiroz** was duly notified and failed to appear or respond on December 8, 2023, so the hearing was held in absentia, in accordance with **15.2.1.9(B)(4)(d) non-appearance**, before the Board of Stewards on **December 8, 2023**. The hearing was in regard **Joel Quiroz** failing to report correct weight and overweight to the clerk of scales on 11/18/2023 for race #9. There for resulting to be taken off his mount.

The Board of Stewards hereby fines **Joel Quiroz** in the amount **of Five Hundred Dollars (\$500.00)**. The fine is to be paid on or before **January 8, 2024**, 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.

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

15.2.3.8 B (1) (d) Stewards General authority. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation/denial of license or any combination of these penalties.

15.2.5.13(C)(1)(8)(11)(12) Jockey requirements: (1) Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the stewards.

(8) Jockeys shall be weighed out for their respective mounts by the clerk of scales not more than 30 minutes before post time for each race. (11) A jockey's weight shall include their clothing, boots, saddle and its attachments and any other equipment except the whip, bridle, bit or reins, safety helmet, safety vest, blinkers, goggles and number cloth. Upon the stewards' approval, jockeys may be allowed up to three pounds more than published and announced weights to account for inclement weather clothing and equipment when weighing in. (12) Five pounds is the limit of overweight any horse is permitted to carry.

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) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

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 December 18, 2023.**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-ZIA-35**
Track: Zia Park
Ruling Date: 12/8/2023

Licensee: **ORTIZ, JOSE ENRIQUE**

License Type: **2022 3 Year Jockey** Applicant Id: **35364**
License Number: **305139**

Ruling # 2023-ZIA-35

Action Type: Initial Ruling

Ruling:

Jockey: **Jose Enrique Ortiz** was duly notified and failed to appear or respond on December 8, 2023, so the hearing was held in absentia, in accordance with **15.2.1.9(B)(4)(d)non-appearance**, before the Board of Stewards on **December 8, 2023**. The hearing was in regard **Jose Enrique Ortiz** failing to report correct weight and overweight to the clerk of scales on 11/18/2023 for races #7 & #8. There for resulting to be taken off his mount.

The Board of Stewards hereby fines **Jose Enrique Ortiz** in the amount **of ONE THOUSAND Dollars (\$1000.00)**. The fine is to be paid on or before **January 8, 2024**, 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 to be in violation of and this ruling is written in accordance with

15.2.3.8 B (1) (d) Stewards General authority. The stewards have the authority to interpret the rules and to decide all questions of racing not specifically covered by the rules. Whenever the stewards find any person culpable for any act or omission in violation of these regulations or any violation of the Horse Racing Act, the person shall be subject to disciplinary action, which could include a fine, suspension, or revocation denial of license or any combination of these penalties.

15.2.5.13(C)(1)(8)(11)(12) Jockey requirements: (1) Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the stewards.

(8) Jockeys shall be weighed out for their respective mounts by the clerk of scales not more than 30 minutes before post time for each race. (11) A jockey's weight shall include their clothing, boots, saddle and its attachments and any other equipment except the whip, bridle, bit or reins, safety helmet, safety vest, blinkers, goggles and number cloth. Upon the stewards' approval, jockeys may be allowed up to three pounds more than published and announced weights to account for inclement weather clothing and equipment when weighing in. (12) Five pounds is the limit of overweight any horse is permitted to carry.

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) Last Known Address/ 16.47.1.8(L)(1)(e) Grounds For Disciplinary Measures

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 December 18, 2023.**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-36
Track Zia Park
Ruling Date: 12/9/2023

Licensee: JORDAN, KYLEE ROSA

License Type: 2023 1 Year Jockey Applicant Id: 165802
License Number: 310357

Ruling # 2023-ZIA-36

Action Type: Initial Ruling

Ruling:

Jockey **Kylee Jordan** having been summoned and appeared telephonically and waiving a 10 day notice to a hearing before the Board of Stewards on December 9, 2023, for failure to honor or be excused from his riding engagement on Tuesday December 5, 2023, in the 4th race, at Zia Park Racetrack. (#2 Aquimine).

For this violation, the Board or Stewards assessed, **Kylee Jordan** a fine in the amount of Two Hundred and Fifty dollars, \$250.00. The fine is to be paid on or before January 9, 2024, in accordance with 15.2.3.8 (B) (3) (1). 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 (C)(1) (3) Jockey requirements: (1) Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all their riding engagements of the day have been fulfilled except as approved by the stewards
(3) Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the stewards. Failure to fulfill riding engagements may result in disciplinary action.

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 December 19, 2023.**

Xialet Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-37
Track Zia Park
Ruling Date: 12/10/2023

Licensee: ALDRETE JR., HECTOR EDUARDO

License Type: 2023 1 Year Owner Applicant Id: 165257
License Number: 308173

Ruling # 2023-ZIA-37

Action Type: Initial Ruling

Ruling:

Owner: Hector Eduardo *Aldrete Jr* is hereby summarily suspended, effective immediately, December 9, 2023 pending the outcome of her summary suspension hearing scheduled for December 12, 2023, at 10:00 a.m. in the office of the board of Stewards at Zia Park Racetrack(3901 WEST MILLEN DRIVE HOBBS NM 88240), per 15.2.1.9 (B)(3)(b) Summary Suspension. The summary suspension is in regard to his dad (Hector Aldrete) being suspended for possession and /or use of an electrical device .

In accordance with 15.2.6.9 (A)(12)(a)(b)(c), (a) first degree of affinity shall mean the licensee's spouse or spouse's mother, father, brother, sister, son or daughter.

(b) first degree of consanguinity shall mean the licensee's mother, father, brother, sister, son or daughter.

(c) No entry in any race shall be accepted for a horse owned wholly or in part by, or trained by, a person whose husband or wife is under license suspension at time of such entry; except that, if the license of a jockey has been suspended for a routine riding offense, the stewards may waive this rule. Hector Eduardo Aldrete Jr is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspens15.2.1.9(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(B)(1)Penalty Recommendations

15.2.6.9(A)(12)(a)(b)(c) Infinity Rule

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

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

Xiaohu Smith
By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-38
Track Zia Park
Ruling Date: 12/10/2023

Licensee: MARTINEZ, EDGAR

License Type: 2022 3 Year Jockey Applicant Id: 35567
License Number: 306940

Ruling # 2023-ZIA-38

Action Type: Initial Ruling

Ruling:

Jockey Edgar S Martinez, having been summoned and having appeared before the Board of Stewards on December 10, 2023, for careless riding during the running of the 3rd race on December 3, 2023, at Zia Park Racetrack, while aboard "Separate Traffic". (After the break mid-way down the stretch came across the track to the inside causing a change reaction making the inside horses to check up and alter course his mount almost clipping heels because of his actions warranting a DQ of this mount. At that time jockey Edgar S Martinez did not try to straighten his mount.

For this violation, the Board of Stewards assessed Edgar S Martinez seven (7) day suspension -1/01/2024 - 1/07/2024. Can ride designated race days.

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




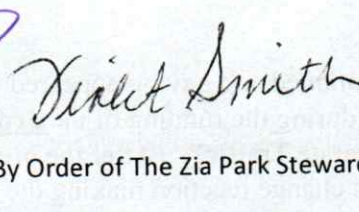
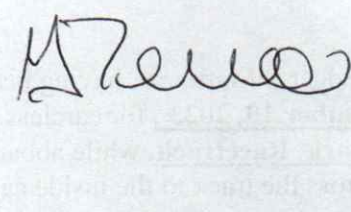
New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-ZIA-38**
Track **Zia Park**
Ruling Date: **12/10/2023**

Licensee: **MARTINEZ, EDGAR**

License Type: **2022 3 Year Jockey** Applicant Id: **35567**
License Number: **306940**

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 **December 20, 2023**.

  
By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-39
Track Zia Park
Ruling Date: 12/11/2023

Licensee: GUTIERREZ, LEONARD JOHN

License Type: 2022 3 Year Trainer Applicant Id: 28848
License Number: 305337

Ruling # 2023-ZIA-39

Action Type: Initial Ruling

Ruling:

Trainer, Lee Gutierrez having been duly notified telephonically waived his right to a formal hearing before the Zia Park Board of Stewards. **Lee Gutierrez** is hereby fined \$250.00. (Two Hundred Fifty dollars), Sunday December 11, 2023, Trainer. Mr. **Lee Gutierrez**, failed to have an employee at the receiving barn to pick up the claimed horse in a timely fashion manner.

For this violations:

Trainer, Lee Gutierrez is fined \$250.00. (Fine to be paid on or before January 10, 2024.)

This ruling in written in accordance with:

16.47.1.8 GENERAL PROVISIONS: G. Employer responsibility:

(1) The employment of any unlicensed person under the jurisdiction of the commission is prohibited.

15.2.4.8 CLAIMING RACES:

G. Transfer of Claimed Horses: (3) Transfer of possession of a claimed horse shall take place immediately after the race has been run unless otherwise directed by the stewards. If the horse is required to be taken to the test barn for post-race testing, the original trainer or their representative shall maintain physical custody of the claimed horse and shall observe the testing procedure and sign the test sample tag. The successful claimant or their representative shall also accompany the horse to the test barn.

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

16.47.1.3 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-39
Track Zia Park
Ruling Date: 12/11/2023

Licensee: GUTIERREZ, LEONARD JOHN

License Type: 2022 3 Year Trainer Applicant Id: 28848
License Number: 305337

order. Last day to file an appeal is December 21, 2023.

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-ZIA-40**
Track: Zia Park
Ruling Date: 12/11/2023

Licensee: **MENDOZA, RAMON**

License Type: **Applicant Id: 159104**
License Number:

Ruling # 2023-ZIA-40

Action Type: Initial Ruling

Ruling:

Trainer Ramon Mendoza having been duly notified appeared and having waived his 10-day notice and formal hearing telephonically before the Board of Stewards on December 11, 2023, failure to have a flipping halter on the horse "Cartel Kip" in the 6th race on December 10, 2023, necessitating a late scratch and mutuel refund at ZIA PARK RACETRACK.

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 January 9, 2024.

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 December 21, 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-ZIA-40
Track Zia Park
Ruling Date: 12/11/2023

Licensee: MENDOZA, RAMON

License Type:

Applicant Id: 159104
License Number:

Dialet Smith

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-41
Track Zia Park
Ruling Date: 12/11/2023

Licensee: McDOWELL, DELBERT LEE
License Type: 2023 3 Year Trainer Applicant Id: 165915
License Number: 310766

Ruling # 2023-ZIA-41

Action Type: Initial Ruling

Ruling:

Trainer Ramon Mendoza having been duly notified appeared and having waived his 10-day notice and formal hearing telephonically before the Board of Stewards on December 11, 2023, failure to have a flipping halter on the horse "Cartel Kip" in the 6th race on December 10, 2023, necessitating a late scratch and mutuel refund at ZIA PARK RACETRACK.

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 January 9, 2024.

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 December 21, 2023.**

This ruling in 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

Xialet Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-ZIA-42**
Track: **Zia Park**
Ruling Date: **12/11/2023**

Licensee: **NIETO-SAENZ, JORGE IBRIAN**
License Type: **2022 3 Year Jockey** Applicant Id: **164761**
License Number: **305975**

Ruling # **2023-ZIA-42**

Action Type: **Initial Ruling**

Ruling:

Jockey Jorge Nieto Saenz, having been summoned and having appeared before the Board of Stewards on **December 11, 2023**, for careless riding during the running of the **7th race on December 10, 2023, at Zia Park Racetrack**, while aboard 'Jumpn regal'. (At the break (broke in hard) causing a change reaction making the inside horses to check and alter course. because of his actions the #9 was caused a placing warranting a DQ of this mount. At that time Jorge Nieto Saenz did not try to straighten his mount.

For this violation, the Board of Stewards assessed Jorge Nieto Saenz seven (7) day suspension -1/1/2024 - 1/7/2024. Can ride designated race days.

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-ZIA-42**
Track **Zia Park**
Ruling Date: **12/11/2023**

Licensee: **NIETO-SAENZ, JORGE IBRIAN**

License Type: **2022 3 Year Jockey** Applicant Id: **164761**
License Number: **305975**

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 **December 21, 2023**.

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-43
Track Zia Park
Ruling Date: 12/12/2023

Licensee: ROJERO, LUIS CARLOS

License Type: 2022 3 Year Trainer Applicant Id: 6914
License Number: 303749

Ruling # 2023-ZIA-43

Action Type: Initial Ruling

Ruling:

Trainer Luis C Rojero having been duly notified appeared and having waived his 10-day notice and formal hearing before the Board of Stewards on December 12, 2023, failure to have a flipping halter on the horse "Stormin Fast" in the 7th race on December 11, 2023, necessitating a late scratch and mutuel refund at ZIA PARK RACETRACK.

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 January 10, 2024.

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 December 22, 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-ZIA-44
Track Zia Park
Ruling Date: 12/16/2023

Licensee: VILLAMAR, CANDELARIO

License Type: 2022 3 Year Trainer Applicant Id: 35314
License Number: 304332

Ruling # 2023-ZIA-44

Action Type: Initial Ruling

Ruling:

Trainer Candelario Villamar having been duly notified, appeared telephonically before the Board of Stewards and waived his right to a 10-day notice and formal hearing before the Zia Park Board of Stewards on December 12, 2023, for failure to have his horse "Aces Over Deuces" present in the paddock for the 2nd race on December 12, 2023, causing a late program scratch at Zia Park Racetrack.

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 January 12, 2024.

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

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)(9)(A) FAILURE TO APPEAL 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 an appeal is December 26, 2024.

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-45
Track Zia Park
Ruling Date: 12/16/2023

Licensee: BARRIOS, BERNADETTE EVANGELIN

License Type: 2022 3 Year Trainer Applicant Id: 29859
License Number: 303948

Ruling # 2023-ZIA-45

Action Type: Initial Ruling

Ruling:

Trainer **Bernadette Barrios** having been duly notified and waived her right to a formal hearing on December 16, 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 Methylprednisolone(Class 4 Penalty C) found in test sample E493399 taken from the non-starter "Sharp as a Tack" following the 7th race, on November 25, 2023 at Zia Park Racetrack, in Hobbs, New Mexico.

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

Ms. **Bernadette Barrios**. is the trainer of record for the horse "Sharp as a Tack."

For **Bernadette Barrios** 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 January 15, 2024, 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, **Bernadette Barrios** has accumulated "1/2 point" for 1st violation in 365 days, Methylprednisolone under the multiple medication violation point system. Per 15.2.6.9 (O)((7) **Bernadette Barrios**. 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 December 26, 2023.**

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-46
Track Zia Park
Ruling Date: 12/16/2023

Licensee: FERNANDEZ, FRANCISCO SALAS

License Type: 2022 3 Year Owner Applicant Id: 35191
License Number: 307069

Ruling # 2023-ZIA-46

Action Type: Initial Ruling

Ruling:

Owner **Francisco Fernandez**, having trainer Bernadette Barrios appear on his behalf and waive his right to a formal hearing on December 16, 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 Methylprednisolone (Class 4 penalty C drug) found in test sample **E493399** taken from the horse "Sharp as a Tack" who got scratch in the paddock at ZIA PARK, in, New Mexico. On November 25, 2023 race #7.

Bernadette Barrios is the trainer of record for the horse "Sharp as a Tack."
Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to the owner and declined.

1. Must pass a commission approved exam prior to entry
No evidence was presented to disprove the findings of the NMRC.

Francisco Fernandez 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: December 26, 2023.**

Dialet Smith
By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-47
Track Zia Park
Ruling Date: 12/17/2023

Licensee: DEHERRERA, JOSE IGNACIO

License Type: 2023 3 Year Trainer Applicant Id: 16885
License Number: 309339

Ruling # 2023-ZIA-47

Action Type: Initial Ruling

Ruling:

Trainer Jose DeHerrera having been duly notified and having waved his 10-day notice and formal hearing before the Board of Stewards on December 17, 2023, for failure to have owners licensed for the horse "Kama Patriot" for the 2nd race on December 16, 2023, at Zia Park Racetrack 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 January 16, 2024.

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

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

A. Licensing requirements for owners:

(1) Each person who has a five percent or more ownership or beneficial interest in a horse is required to be licensed

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 December 27, 2023.**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-ZIA-48**
Track: Zia Park
Ruling Date: 12/17/2023

Licensee: **BENN, CORDARELTON J**

License Type: **2023 3 Year Jockey** Applicant Id: **34815**
License Number: **310127**

Ruling # 2023-ZIA-48

Action Type: Initial Ruling

Ruling:

Jockey Cordarelton Benn, having been duly notified, and waived his right to a 10-day notice and hearing and having appeared before the Board of Stewards on Sunday December 17, 2023, concerning failure to make his assigned weight on Saturday December 16, 2023 at Zia Park Racetrack for the 4th 6th race, resulting in late jockey change.

The Board of Stewards hereby assesses Cordarelton Benn a penalty in the amount of **Five Hundred Dollars (\$500.00)**. The fine is to be paid on or before January 16, 2024, 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.

Licensee is found to be in violation of:

15.2.5.13 (C)(1)(11)(12) RUNNING OF THE RACE:

C. Jockey Requirements:

(1) Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the stewards.

(11) A jockey's weight shall include their clothing, boots, saddle and its attachments and any other equipment except the whip, bridle, bit or reins, safety helmet, safety vest, blinkers, goggles and number cloth. Upon the stewards' approval, jockeys may be allowed up to three pounds more than published and announced weights to account for inclement weather clothing and equipment when weighing in.

(12) Five pounds is the limit of overweight any horse is permitted to carry.

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
15.2.3.8 B (1) (a) Stewards General Authority
15.2.3.8 B (1) (c) Stewards General Authority
16.47.1.8 (T) KNOWLEDGE OF RULES
16.47.1.8(N) Last Known Address
16.47.1.8(L)(1)(e) Grounds for Disciplinary Measures

15.2.1.9(B)(9)(b): Appeal Procedures 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-ZIA-48**
Track Zia Park
Ruling Date: 12/17/2023

Licensee: BENN, CORDARELTON J

License Type: 2023 3 Year Jockey Applicant Id: 34815
License Number: 310127

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 December 27, 2023.**

Xiaohu Smith

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2023-ZIA-49**
Track: Zia Park
Ruling Date: 12/17/2023

Licensee: MARTINEZ, EDGAR

License Type: 2022 3 Year Jockey Applicant Id: 35567
License Number: 306940

Ruling # 2023-ZIA-49

Action Type: Initial Ruling

Ruling:

Jockey Edgar Martinez, having been duly notified, and waived his right to a 10-day notice and hearing and having his agent Julie Trujillo appeared before the Board of Stewards on Sunday December 17, 2023, concerning failure to make his assigned weight on Saturday December 16, 2023 at Zia Park Racetrack for the 6th race, resulting in late jockey change. Must show he can do at least 126 lbs before he can return back to riding.

The Board of Stewards hereby assesses Edgar Martinez a penalty in the amount of **Five Hundred Dollars (\$500.00)**. The fine is to be paid on or before January 16, 2024, 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.

Licensee is found to be in violation of:

15.2.5.13 (C)(1)(11)(12) RUNNING OF THE RACE:

C. Jockey Requirements:

(1) Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the stewards.

(11) A jockey's weight shall include their clothing, boots, saddle and its attachments and any other equipment except the whip, bridle, bit or reins, safety helmet, safety vest, blinkers, goggles and number cloth. Upon the stewards' approval, jockeys may be allowed up to three pounds more than published and announced weights to account for inclement weather clothing and equipment when weighing in.

(12) Five pounds is the limit of overweight any horse is permitted to carry.

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
- 15.2.3.8 B (1) (a) Stewards General Authority
- 15.2.3.8 B (1) (c) Stewards General Authority
- 16.47.1.8 (T) KNOWLEDGE OF RULES
- 16.47.1.8(N) Last Known Address
- 16.47.1.8(L)(1)(e) Grounds for Disciplinary Measures

15.2.1.9(B)(9)(b): Appeal Procedures 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-49
Track Zia Park
Ruling Date: 12/17/2023

Licensee: MARTINEZ, EDGAR

License Type: 2022 3 Year Jockey Applicant Id: 35567
License Number: 306940

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 December 27, 2023.**

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-50
Track Zia Park
Ruling Date: 12/17/2023

Licensee: MARTINEZ, EDGAR

License Type: 2022 3 Year Jockey Applicant Id: 35567
License Number: 306940

Ruling # 2023-ZIA-50

Action Type: Initial Ruling

Ruling:

Jockey Edgar Martinez, having been duly notified, and waived his right to a 10-day notice and hearing and having his agent Julie Trujillo appeared before the Board of Stewards on Sunday December 17, 2023, concerning failure to make his assigned weight on Saturday December 16, 2023 at Zia Park Racetrack for the 6th race. Resulting in a late scratch. Must show he can do at least 126 before he can return back to riding.

The Board of Stewards hereby assesses Edgar Martinez a penalty in the amount of **Five Hundred Dollars (\$500.00)**. The fine is to be paid on or before January 16, 2024, 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.

Licensee is found to be in violation of:

15.2.5.13 (C)(1)(11)(12) RUNNING OF THE RACE:

C. Jockey Requirements:

(1) Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all of their riding engagements of the day have been fulfilled except as approved by the stewards.

(11) A jockey's weight shall include their clothing, boots, saddle and its attachments and any other equipment except the whip, bridle, bit or reins, safety helmet, safety vest, blinkers, goggles and number cloth. Upon the stewards' approval, jockeys may be allowed up to three pounds more than published and announced weights to account for inclement weather clothing and equipment when weighing in.

(12) Five pounds is the limit of overweight any horse is permitted to carry.

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
15.2.3.8 B (1) (a) Stewards General Authority
15.2.3.8 B (1) (c) Stewards General Authority
16.47.1.8 (T) KNOWLEDGE OF RULES
16.47.1.8(N) Last Known Address
16.47.1.8(L)(1)(e) Grounds for Disciplinary Measures

15.2.1.9(B)(9)(b): Appeal Procedures 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.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-50
Track Zia Park
Ruling Date: 12/17/2023

Licensee: MARTINEZ, EDGAR

License Type: 2022 3 Year Jockey Applicant Id: 35567
License Number: 306940

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 December 27, 2023.**



Violet Smith



M. Neve

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-51
Track Zia Park
Ruling Date: 12/18/2023

Licensee: DUARTE, SAUL

License Type: 2023 3 Year Owner Applicant Id: 30533
License Number: 308191

Ruling # 2023-ZIA-51

Action Type: Initial Ruling

Ruling:

Owner Saul Duarte was duly notified and represented by his trainer (Alvaro Hinojos) to waive his hearing before the Board of Stewards on December 18, 2023. The hearing was in regard to a certificate of analysis from Industrial Laboratories (official testing laboratory for the NMRC) for a confirmed positive for the controlled substance and prohibited drug (class 3 penalty A) "clenbuterol" detected in the Blood of horse "Big Eye" (Test Sample #: E626015), who finished first place in the 1st race on October 8, 2023, at the Downs at Albuquerque. The drug clenbuterol was confirmed in the blood of the split sample sent to UC Davis.

Alvaro Hinojos, the trainer of record for horse "Big Eye" Owner Saul Duarte, was duly notified and represented his trainer (Alvaro Hinojos). This is Saul Duarte FIRST Class 3A medication violation in a 365-day period.

For Saul Duarte FIRST Class 3A medication violation in a 365-day period, the Board of Stewards hereby assess a penalty issued in accordance with 15.2.6.9 (B)(2) Penalty Recommendations, as follows:

Pursuant to rules 15.2.3.8 (B)(9)(a)(e) Stewards List, 15.2.6.9(C)(8)(c) Positive Test Report, 15.2.6.9(C)(9) Positive Test List, 15.2.6.9(C)(10)(a-d) List Removal Requirements, the horse "Big Eye" is placed on the Stewards list for a period of 180 days (beginning December 17, 2023). During this period, the papers are to be removed from the racing office and horse is denied entry until he passes a commission approved veterinary examination with a negative blood and urine test.

1. In accordance with 15.2.5.13(E)(4)(d) Purse Redistribution, The horse "Big Eye" is hereby disqualified from FIRST PLACE and ordered unplaced from the 1st race on October 8, 2023, at the Downs at Albuquerque, for all but pari-mutuel wagering. The purse redistribution is as follows.

- 1) Cottons Point
- 2) Javiers Hustle
- 3) Pevs Runnin Bear
- 4) Full Throattel
- 5) Jess Down the Rapids
- 6) Dm Fireonthemountain
- 7) Rember Jess
- 8) Blood Moon Crest
- 9) Mr Fdd Vengenc

Unplaced BIG EYE

Licensee is found in violation of and ruling written in accordance with: 15.2.3.8(B)(1)(3)(1)(g)(i) Stewards 15.2.6.9(C)(1)(4) Medication Restrictions



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-51
Track Zia Park
Ruling Date: 12/18/2023

Licensee: DUARTE, SAUL

License Type: 2023 3 Year Owner

Applicant Id: 30533

License Number: 308191

15.2.6.11(A) Trainer Responsibility/ 15.2.6.9(B)(2) Penalty Recommendations /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 15.2.1.9(B)(9)(b): **Appeal Procedures** 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 Date to appeal December 28, 2023


By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-52
Track Zia Park
Ruling Date: 12/18/2023

Licensee: NIETO-SAENZ, JORGE IBRIAN
License Type: 2022 3 Year Jockey Applicant Id: 164761
License Number: 305975

Ruling # 2023-ZIA-52

Action Type: Initial Ruling

Ruling:

Jockey Jorge Nieto-Saenz, having been summoned and having Christian Ramos represent him before the Board of Stewards on December 18, 2023, for excessive use of whip, while aboard "Hide My Wine" in the 3rd Race December 17, 2023, at Zia Park Race Track, is found to be in violation of Commission rules.

For this violation, the Board of Stewards assessed Jockey Jorge Nieto-Saenz, as his Third offense, which resulting in a 7 calendar days suspension. May ride 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.

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 December 28, 2023.**

Director Smith
By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-53
Track Zia Park
Ruling Date: 12/19/2023

Licensee: PARGA, JAIME

License Type: 2023 1 Year Jockey Applicant Id: 30593
License Number: 307760

Ruling # 2023-ZIA-53

Action Type: Initial Ruling

Ruling:

Jockey Jamie Leos, having been summoned and appeared before the Board of Stewards (represented by Christian Ramos) on December 18, 2023, for excessive use of whip, while aboard "Wicked Corona Z." in the 6th Race December 18, 2023, at ZIA Park Racetrack, is found to be in violation of Commission rules.

For this violation (first offense), the Board of Stewards assessed Jockey Jamie Leos a fine in the amount of Five Hundred Dollars, (\$500.00). This fine is to be paid on or before January 18, 2024, 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 December 28, 2023.**

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2023-ZIA-54
Track Zia Park
Ruling Date: 12/19/2023

Licensee: VALENZUELA, GASTON FLORES

License Type: Applicant Id: 30556
License Number:

Ruling # 2023-ZIA-54

Action Type: Initial Ruling

Ruling:

Trainer, Gaston F Valenzuela hereby summarily suspended, effective immediately, December 19th, 2023, pending the outcome of his summary suspension hearing scheduled Friday, December 29th, 2023, at 10:00am MST in the office of the board of Stewards at the Sunland Park Racetrack (1200 Futurity Drive Sunland Park NM 88063), 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 urine in test sample E493437 taken from the Quarter Horse "One Fearless Eagle", who finished 3rd place in the 1st race on December 2, 2023, at the Zia Park Racetrack.

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

In accordance with 15.2.1.9 (C)(21), Gaston F Valenzuela 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 Gaston F Valenzuela 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 Gaston F Valenzuela 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

By Order of The Zia Park Stewards