

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,



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SUN-38**
Track Sunland Park
Ruling Date: 1/28/2024

Licensee: ENRIQUEZ-ARENIVAS, KEVIN A

License Type:

Applicant Id: 162686

License Number:

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 February 7, 2024.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SUN-39**
Track: Sunland Park
Ruling Date: 1/28/2024

Licensee: REYES-SOTELO, CRISTIAN
License Type: 2024 1 Year Jockey Applicant Id: 164992
License Number: 311239

Ruling # 2024-SUN-39

Action Type: Initial Ruling

Ruling:

Jockey Cristian Reyes was duly notified and was relieved of his mounts and required to present himself before the Board of Stewards prior to returning to ride after he tested positive for a random BAT (Breath Alcohol Test) on January 28, 2024. Cristian Reyes must appear before the Board of Stewards on February 3, 2024, at Sunland PARK.

For Cristian Reyes **FIRST** violation in a 365-day period, the Board of Stewards hereby issues the following:

1. Written Warning

Licensee is found in violation of, and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g) (j) Stewards/ 16.47.1.8(T) Knowledge of the Rules/ 16.47.1.17 (A)(C)(3)(7)/16.47.1.18 (A)(1)(2)(3) Testing Procedures

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: February 7, 2024**

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-SUN-40
Track Sunland Park
Ruling Date: 1/31/2024

Licensee: MECHE, ROBI ALAURA

License Type: 2023 1 Year Trainer Applicant Id: 162343
License Number: 308206

Ruling # 2024-SUN-40

Action Type: Initial Ruling

Ruling:

Trainer Robi A. Meche having been duly notified and having waived her 10-day notice and formal hearing before the Board of Stewards on January 31, 2024, failure to have a flipping halter on the horse "Sweater Tlc" (1st offense) in the 2nd race on January 28, 2024, necessitating a late scratch and mutuel refund at Sunland 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 March 1, 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 February 10, 2024.

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 #: 2024-SUN-41
Track Sunland Park
Ruling Date: 1/31/2024

Licensee: ARZABALA, JR ALEJANDRO

License Type: Applicant Id: 9683
License Number:

Ruling # 2024-SUN-41

Action Type: Initial Ruling

Ruling:

issued in error

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87112

Ruling #: **2024-SUN-42**
Track: Sunland Park
Ruling Date: 1/31/2024

Licensee: VALENZUELA, GASTON FLORES
License Type: 2022 3 Year Trainer Applicant Id: 30556
License Number: 304553

Ruling # 2024-SUN-42

Action Type: Initial Ruling

Ruling:

Trainer **Gaston Valenzuela** having been duly notified and having failed to appear, had his formal hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d), non-appearance before, Sunland Park Racetrack Board of Stewards (1200 Futurity Drive, Sunland Park NM 88063) on January 31, 2024, at 10:00am regarding a lab report from Industrial Laboratories (the official testing laboratory for the NMRC) for a confirmed positive for the drug Medroxyprogesterone Acetate (Class 3 penalty B) found in the blood for test sample E493345, obtained from the horse "Streakin Zoomer Cat" who finished in 2nd place in the 1st race on November 18, 2023, at Zia Park Racetrack.

Aggravating Factors: 1) Failure to guard.
2) Performance enhancing drug
3) Did not show up for hearing.

Mitigating Factors: None

Split Sample rights were afforded to the trainer. No representative showed up at the NMRC at the office time stated to be at the NMRC to do a split.

Gaston Valenzuela is the trainer of record for "Streakin Zoomer Cat".

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

1) Mr. **Gaston Valenzuela** is hereby fined **\$1000.00 (One Thousand Dollars)**. Fine to be paid on or before March 1st, 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) **Gaston Valenzuela** is given a suspension of **Fifteen (15) days**. The term will run consecutively commencing after the final disposition for his other summary suspension (which is in effect at present time) is adjudicated for ruling (**2023-ZIA-54**).

3) In addition, **Gaston Valenzuela** had accumulated "0" points prior to this ruling and "4" points in connection with this ruling for a current total of "4"- points, under the multiple medication violation point system.

15.2.5.13 E(4)(d) running of the race

E. Post to finish

(4) Disqualification

(d) The stewards may determine that a horse shall be unplaced for the purpose of purse



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SUN-42**
Track: Sunland Park
Ruling Date: 1/31/2024

Licensee: VALENZUELA, GASTON FLORES
License Type: 2022 3 Year Trainer Applicant Id: 30556
License Number: 304553

distribution and trial qualification.

In accordance with **15.2.1.9 (C)(21)(b)**, **Gaston Valenzuela** 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 Gaston 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 Valenzuela** 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 February 12, 2024.


By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SUN-43**
Track: Sunland Park
Ruling Date: 2/1/2024

Licensee: **ARZABALA JR ALEJANDRO**
License Type: **2023 3 Year Owner** Applicant Id: **9683**
License Number: **308203**

Ruling # 2024-SUN-43

Action Type: Initial Ruling

Ruling:

Owner **Alejandro Arzabala Jr.** having been duly notified and having failed to appear, had his hearing held in absentia, in accordance with 15.2.1.9(B)(4)(d) non-appearance before Sunland Park Racetrack Board of Stewards (1200 Futurity Drive, Sunland Park NM 88063) on January 31, 2024 at 10.00am for a formal hearing, regarding a lab report from Industrial Laboratories (the Official testing laboratory for the NMRC) for a confirmed positive for the drug Medroxyprogesterone Acetate. (The official testing laboratory for the NMRC). for a confirmed blood positive sample for Medroxyprogesterone Acetate (Class 3 penalty B) found in test sample E493345 taken from the horse "Streakin Zoomer Cat" who competed in the 1st race and finished 2nd on **November 18, 2023, at Zia Park Racetrack, New Mexico.**

Gaston Valenzuela is the trainer of record for the horse "Streakin Zoomer Cat."

Split sample rights as provided in **15.2.6.10 (D) NMRC**, were afforded to the owner and trainer.

No representative showed up at the time stated at NMRC office to the split sample.

The Board of Stewards hereby order the purse to be redistributed as follows:

Official Order of finish:

1st-Mr Chinch

2nd- Incitatus Moon

3rd-Veltri

4th-Total Lunar Eclipse

5th- A Kings Dynasty

6th-Jess Rideaway

7th-Perry Toxic

8th-Rig Countess

9th-Jess B Anne

Steakin Zoomer Cat is hereby disqualified from 2nd place and unplaced for all but parimutuel wagering purposes.

The horse "**Streakin Zoomer Cat**" must pass a commission approved examination before being eligible to enter.

Licensee is found to be 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) Medication Restrictions / 15.2.6.9(F)Permissible/ 15.2.6.9 NMRC Attachment 2/ Medications with Acceptable Levels /15.2.6.9(B)(4) Penalty Recommendations/ 15.2.3.8(B)(3)(k) Redistribution of Prizes/ 15.2.5.13(E)(4)(d) NMRC

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later

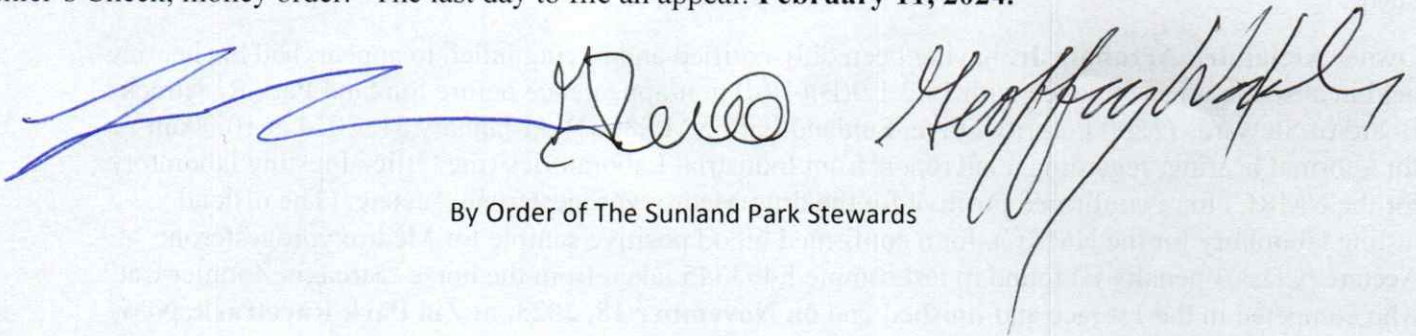


New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SUN-43**
Track Sunland Park
Ruling Date: 2/1/2024

Licensee: ARZABALA, JR ALEJANDRO
License Type: 2023 3 Year Owner Applicant Id: 9683
License Number: 308203

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 \$400.00. The fee must be in the form of a cashier's Check, money order." The last day to file an appeal: **February 11, 2024.**



By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SUN-44**
Track: Sunland Park
Ruling Date: 2/2/2024

Licensee: **AMAYA, DANIEL ROBERTO**
License Type: 2023 1 Year Jockey Applicant Id: 33287
License Number: 308793

Ruling # 2024-SUN-44

Action Type: Initial Ruling

Ruling:

Jockey Daniel Amaya, having been summoned and appeared before the Board of Stewards on February 2, 2024, for excessive use of whip, while aboard "Eric's Eagle Spirit" in the 5th Race January 28, 2024, at Sunland Park Racetrack, is found to be in violation of Commission rules.

For this violation (first offense of 2024), the Board of Stewards assessed Jockey Daniel Amaya a fine in the amount of Five Hundred Dollars. (\$500.00). This fine is to be paid on or before March 3, 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SUN-44**
Track Sunland Park
Ruling Date: 2/2/2024

Licensee: **AMAYA, DANIEL ROBERTO**

License Type: **2023 1 Year Jockey** Applicant Id: **33287**
License Number: **308793**

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 February 12, 2024.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-SUN-45
Track Sunland Park
Ruling Date: 2/2/2024

Licensee: HEBERT, TRACY JAMES

License Type: 2023 3 Year Jockey Applicant Id: 159170
License Number: 308087

Ruling # 2024-SUN-45

Action Type: Initial Ruling

Ruling:

Jockey **Tracy Hebert** having been represented by appeared before the Board of Stewards and waiving his 10-day notice and formal hearing on February 2, 2024, for failure to honor or be excused from his riding engagement on Thursday, February 1, 2024 in the 4th, 6th, 7th and the 9th race.

Tracy Hebert failed to notify stewards that he would not ride which resulted in a late Jockey change.

For this violation, the Board or Stewards assessed, **Tracy Hebert** a fine in the amount of Five Hundred dollars, (\$500.00). The fine is to be paid on or before March 3rd, 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 February 12, 2024.**



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SUN-46**
Track: Sunland Park
Ruling Date: 2/3/2024

Licensee: PEREZ, MIGUEL ANGEL

License Type: 2021 3 Year Jockey Applicant Id: 31329
License Number: 300752

Ruling # 2024-SUN-46

Action Type: Initial Ruling

Ruling:

Jockey Miguel Perez was duly notified and was relieved of his mounts and required to present himself before the Board of Stewards prior to returning to ride after he tested positive for a random BAT (Breath Alcohol Test) on February 2, 2024. Miguel Perez must appear before the Board of Stewards on February 3, 2024, at Sunland PARK.

For Miguel Perez **FIRST** violation in a 365-day period, the Board of Stewards hereby issues the following:

1. Written Warning

Licensee is found in violation of, and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g) (j) Stewards/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.17 (A)(C)(3)(7)/16.47.1.18 (A)(1)(2)(3) Testing Procedures

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: February 13, 2024**

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SUN-47**
Track Sunland Park
Ruling Date: 2/3/2024

Licensee: FINCHER, TODD WYATT

License Type: 2022 3 Year Trainer Applicant Id: 27974
License Number: 303671

Ruling # 2024-SUN-47

Action Type: Initial Ruling

Ruling:

issued in error

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-SUN-48
Track Sunland Park
Ruling Date: 2/3/2024

Licensee: FINCHER, TODD WYATT

License Type: 2022 3 Year Trainer Applicant Id: 27974
License Number: 303671

Ruling # 2024-SUN-48

Action Type: Initial Ruling

Ruling:

Trainer, Todd Fincher, having been duly notified telephonically waived his right to a formal hearing before the Sunland Park Board of Stewards. Mr. Todd Fincher is hereby fined \$250. (Two Hundred Fifty dollars), Sunday February 3, 2024, having an unlicensed person, Sheldon Gomez, in the Saddling Paddock for schooling a horse on Friday January 26, 2024

For these violations:

Trainer, Todd Fincher, is hereby fined \$250. (Two Hundred Fifty Dollars)

This ruling is 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.

15.2.2.8 ASSOCIATIONS: A. General duty

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (3)(f) 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, March 4, 2024.

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. The last day to file an appeal is February 13, 2024.

By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-SUN-49
Track Sunland Park
Ruling Date: 2/4/2024

Licensee: ALDAVAZ, HERMENEGILDO G

License Type: 2023 3 Year Trainer Applicant Id: 9984
License Number: 308990

Ruling # 2024-SUN-49

Action Type: Initial Ruling

Ruling:

Trainer Hermenegildo Aldavaz was duly notified and is not allowed restricted areas February 4, 2024 and required to present himself before the Board of Stewards after he tested positive for a BAT (Breath Alcohol Test) requested by the stewards after his behavior on February 4, 2024. Hermenegildo Aldavaz must appear before the Board of Stewards on February 7, 2024, at Sunland PARK. For Hermenegildo Aldavaz **FIRST** violation in a 365-day period, the Board of Stewards hereby issues the following:

1. Written Warning

Licensee is found in violation of, and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f)(g) (j) Stewards/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.17 (A)(C)(3)(7)/16.47.1.18 (A)(1)(2)(3) Testing Procedures

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: February 14, 2024**

  
By Order of The Sunland Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SUN-50**
Track **Sunland Park**
Ruling Date: **2/4/2024**

Licensee: **HANCOCK, DAVID L**
License Type: **2024 1 Year Trainer** Applicant Id: **165043**
License Number: **311413**

Ruling # **2024-SUN-50**

Action Type: **Initial Ruling**

Ruling:

Trainer David Hancock is hereby summarily suspended, effective immediately February 4, 2024, pending the outcome of his summary suspension hearing scheduled on February 11th, 2024 at 9:00 A.M. in the offices of the Board of Stewards at Sunland Park Racetrack (1200 Futurity Drive Sunland Park NM 88063) per 15.2.1.9 (B)(3)(b) (Summary Suspension) regarding an incident involving unlicensed help found with a needle and syringe in his barn during pre-race inspection, horses had puncture wounds and blood found on the neck. During said time of applicable suspension, David Hancock is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per 15.2.1.9 (C)(21) (a-b) Exclusion.

Licensee is found in violation of and this ruling is written in accordance with: 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 15.2.6.8 (B)(3) TREATMENT RESTRICTIONS: No person other than a veterinarian licensed to practice veterinary medicine in this jurisdiction and licensed by the commission, or a veterinary assistant licensed by the commission acting under the direct supervision of a licensed veterinarian, shall possess on any location under the jurisdiction of the commission any of the following unless approved by the commission(a) any drug which is a narcotic, stimulant, or depressant, or any other substance or medication that has been prepared or packaged for injection by a hypodermic syringe, or hypodermic needle 15.2.6.9(H)(1) Medical Labeling No person on association grounds where horses are lodged or kept, excluding veterinarians licensed by the commission, shall have in or upon association grounds which that person occupies or has the right to occupy, or in that person's personal property or effect or vehicle in that person's care, custody or control, a drug, medication, chemical, foreign substance or other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with this subsection 15.2.6.9(K)(1) Contraband No person on association grounds where horses are lodged or kept, excluding licensed veterinarians, shall have in that person's care, custody or control, a drug, medication, chemical, foreign substance or 15.2.6 NMAC 12 other substance that is prohibited in a horse on a race day unless the product is labeled in accordance with Subsection H of 15.2.6.9 NMAC This restriction includes, but is not limited to, locations on the association grounds where that person occupies, in that person's personal property, effects or vehicle. 15.2.6.C(3) Except as otherwise provided by this part, a person may not administer or cause to be administered by any means to a horse a prohibited substance, including any restricted medication pursuant to this part during the 24-hour period before post time for the race in which the horse is entered. 16.47.1 C. Protection of horses: (1) Each person licensed by the commission shall do all that is reasonable and within their power and scope of duty to guard against and prevent the administration of any drug, medication, or other substance, including permissible medication in excess of the maximum allowable level, to any horse entered or to be entered in an official workout or race, as prohibited by these rules. (2) No licensee or other person under the jurisdiction of the commission shall subject or permit any animal under their control, custody or supervision to be subjected to or to incur any form of cruelty, mistreatment, neglect or abuse or abandon, injure, maim or kill or administer any noxious substance to or deprive any animal of necessary care or sustenance, shelter or veterinary care. 16.47.1.8 (E) Consent to Search and Seizure By acceptance of a license, a licensee consents to search and inspection by the Commission or its agents, and to the seizure of any prohibited medication, drugs, paraphernalia, or devices in accordance with State and Federal law. 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule. 16.47.1.10 B. Absolute insurer: (1) The trainer is the absolute insurer of the condition of horses entered in an official workout or race and is responsible for the presence of any prohibited drug or medication, or other prohibited substance in such horses. A positive test for a prohibited drug or medication or other prohibited substance or the presence of permitted medication in excess of maximum allowable levels as reported by a commission-approved laboratory is prima facie evidence of a violation of this rule. The trainer is absolutely responsible regardless of the acts of third parties. (2) A trainer must prevent the administration of any drug or medication or other prohibited substance that may cause a violation of these rules. (3) A trainer whose horse has been claimed remains the absolute insurer for the race in which the horse is claimed. 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 15.2.2.8(V)(1) EJECTION AND EXCLUSION An association shall immediately eject from the association grounds a person who is subject to such an



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SUN-50**
Track **Sunland Park**
Ruling Date: **2/4/2024**

Licensee: **HANCOCK, DAVID L**

License Type: **2024 1 Year Trainer** Applicant Id: **165043**
License Number: **311413**

exclusion order of the commission or stewards and notify the commission of the ejection. Trainers 16.47.1.10.C(1)

By Order of The Sunland Park Stewards