



New Mexico Racing Commission  
4900 Alameda NE  
Albuquerque, NM 87113

Ruling #: **2024-SUN-93**  
Track: Sunland Park  
Ruling Date: 3/23/2024

Licensee: **SUMMERS, NANCY NICHOLS**  
License Type: 2022 3 Year Trainer      Applicant Id: 30144  
License Number: 304178

Ruling #            2024-SUN-93

Action Type:      Initial Ruling

Ruling:

Trainer Nancy Summers, having been summoned and having appeared before the Board of Stewards on March 24, 2024, at Sunland Park Racetrack, waived her rights to both a summary suspension hearing and disciplinary hearing regarding a HIWU search of a tack room/office at her barn (#F-4). On March 20, 2024, the HIWU Investigators conducted said search. During the search HIWU Investigator Bennett found three hypodermic syringes with needles attached hidden inside an empty one-gallon jug of "Equine Probiotics Metabolites". Summers is found to be in violation of Commission rules 15.2.6.8(B)(3)(a)(b) and 16.47.1.8.(U)(1).

For these violations, the Sunland Park board of Stewards issues a 6-month suspension beginning March 23, 2024 and ending Sept 24, 2024 and a fine in the amount of One Thousand Five Hundred Dollars. (\$1,500.00). This fine is to be paid on or before April 23, 2024, in accordance with 15.2.3.8 (B)(3)(l). Failure to pay the fine within the time prescribed shall result in immediate suspension.

Nancy Summers has violated: NMAC 15.2.6.8. B (3) (a)(b) Treatment Restrictions and NMAC 16.47.1.8.(U)(1) Protection of Horses; NMAC 15.2.6.9. C. Medication Restrictions; NMAC 16.47.1.8. L (e) (i) (o) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license; NMAC 16.47.1.8. T. Knowledge of Rules.

NMAC 15.2.3.8 B. (1) (3) (f) (g) (j) Stewards:

(1) General Authority. The stewards for each meeting shall be responsible to the commission for the conduct of the race meeting in accordance with the laws of this state and these rules.

(3) (f) The stewards may impose any of the following penalties on a licensee for a violation of the act or these rules: issue a reprimand; assess a fine; require forfeiture or redistribution of purse or award, when specified by applicable rules and at their discretion; place a licensee on probation; suspend a license or racing privileges; revoke a license; exclude from grounds under the jurisdiction of the commission.

(g) The stewards may order that a person be ineligible for licensing; or they may deny a license to an applicant on grounds set forth by these rules.

(j) The stewards may refer any matter to the commission and may include recommendations for disposition. The absence of a steward's referral shall not preclude the commission action in any matter.

(k) Purses, prizes, awards, and trophies shall be redistributed if the stewards or commission order a change in the official order of finish.

NMAC 15.2.6.8. B (3) (a) (b) (6) Treatment Restrictions:

(3) No person other than a veterinarian licensed to practice veterinary medicine in this



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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;

(b) any hypodermic syringe, hypodermic needle or any equipment associated with the aid of intravenous administration. 15.2.6 NMAC 2.

(6) The recommended penalty (in absence of mitigating circumstances) for a violation of Paragraph (3) of Subsection B of 15.2.6.8 NMAC is a \$1,500 fine and a six-month suspension. Additionally, the commission may order all horses under the trainer's care that are entered to race to be tested with the cost of testing borne by the trainer.

NMAC 16.47.1.8 D. E. General Provisions:

D. Consent to investigation: The filing of an application for license shall authorize the commission and the board to investigate criminal and employment records, to engage in interviews to determine applicant's character and qualifications, and to verify information provided by the applicant.

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.

NMAC 16.47.1.8. L (e) (i) (o) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license:

(e) has been found in violation of rules governing racing in this state or other jurisdictions.

(i) 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.

(o) has engaged in conduct unbecoming or detrimental to the best interests of racing.

NMAC 16.47.1.8. T. KNOWLEDGE OF RULES:

A licensee shall be knowledgeable of the rules of the commission; and by acceptance of the license, agrees to abide by the rules.

NMAC 16.47.1.8.U. 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.

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,



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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 April 3, 2024.

By Order of The Sunland Park Stewards