



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-SRP-1**
Track: SunRay Park
Ruling Date: 4/12/2024

Licensee: **FOURNIER, IRVING JOEL**
License Type: **2022 3 Year Trainer** Applicant Id: **7130**
License Number: **307189**

Ruling # 2024-SRP-1

Action Type: Initial Ruling

Ruling:

Trainer, Irving Fournier having been duly notified and having appeared telephonically before the SunRay Park Board of Stewards on April 12, 2024, waived his 10-day notice and formal disciplinary hearing. The notice was in regard to an affidavit from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the Class 4, Penalty C drug Triamcinolone Acetonide found in blood sample E546069 at a level of 197 pg/mL, above the threshold level of 100 pg/mL taken from the horse "Favdashineagle" who finished 1st in the 4th Race on March 23rd, 2024, at Sunland Park Racetrack.

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to trainer Mr. Irving Fournier and owner Juan Poblano and were declined.

Juan Poblano was the owner of record for the horse "Favdashineagle" at the time of the race and violation.

This is trainer Irving Fournier's 2nd Class 4-C medication violation, in a 365-day period, This ruling is issued in accordance with 15.2.6.9 (B)(4), the Board of Stewards assess penalties as follows:

1. A (\$1,500) One Thousand Five Hundred dollar fine to be paid on or before April 26, 2024, in accordance with 15.2.3.8 (B)(3)(l) NMAC. Failure to pay the fine in the prescribed time shall result in an immediate suspension.
2. 15 day Suspension Beginning April 12, 2024 and ending on April 26, 2024. In accordance with Rule 15.2.1.9 (C)(21), Trainer Irving Fournier 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 Irving Fournier 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 and control of Maria Morales must be done in accordance Rule 15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.
3. In addition, Irving Fournier has accumulated ".05" points prior to this ruling and "0.5" points in connection with this ruling for a current total of "1", under the multiple medication violation point system.

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/ 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



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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: April 22, 2024.

By Order of The SunRay Park Stewards



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Ruling #: 2024-SRP-2
Track: SunRay Park
Ruling Date: 4/12/2024

Licensee: POBLANO, JUAN ERNESTO
License Type: Owner Applicant Id: 35356
License Number: 306484

Ruling # 2024-SRP-2

Action Type: Initial Ruling

Ruling:

Owner: Juan Poblano having been duly notified and represented telephonically by his trainer Irving Fournier before the SunRay Park Board of Stewards on April 12, 2024, and having waived both his 10 day notice and disciplinary hearing regarding a medication rule violation based on an affidavit from Industrial Laboratories, the official testing laboratory for the NMRC, for a confirmed positive test for sample E546069 on the horse "Favdashineagle" for the drug Triamcinolone Acetonide (blood) at 197 pg/mL, with the measurement of uncertainty of the method at 14 pg/mL at a threshold of 100 pg/mL who finished 1st in the 4th Race on March 23rd, 2024, at Sunland Park Racetrack.. Split sample testing rights as provided in Rule 15.2.6.10 (D) NMAC, were afforded to the trainer and owner and neither licensee requested a split sample test.

Irving Fournier was the trainer of record for the horse "Favdashineagle" at the time of the violation
Juan Poblano was the owner of record for the horse "Favdashineagle" at the time of the violation.

In accordance with Rule 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Owner Juan Poblano's second Class 4C medication violation in a 365-day period. The SunRay Park Board of Stewards hereby assess penalty as follows:

1) The horse "Favdashineagle" is hereby disqualified from 1st place and ordered unplaced from the 4th race March 23,2024, at the Sunland Park Racetrack for all but pari-mutuel wagering.

The purse redistribution is as follows:

- 1) KVN DISCO
- 2) ADDY GIRL
- 3) MS STOLIS DIVA
- 4) WAGON DANCER
- 5) GENUINE ANSON
- 6) SUNRISE RUBY

Unplaced: Favdashineagle

2. The horse "Favdashineagle" 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 NMAC 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) NMAC

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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License Type: Owner Applicant Id: 35356
License Number: 306484

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: April 22, 2024.

By Order of The SunRay Park Stewards