



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-70**
Track: Ruidoso Downs
Ruling Date: 8/18/2024

Licensee: **RODRIGUEZ, LUIS RAMON**
License Type: 2022 3 Year Jockey Applicant Id: 2581
License Number: 303524

Ruling # 2024-RUI-70

Action Type: Initial Ruling

Ruling:

Jockey, Luis Ramon Rodriguez, having been properly summoned and having appeared before the Ruidoso Downs @ D.A.A. Board of Stewards, on August 18, 2024, for careless riding shortly after the start of race 7 on August 17, 2024 while aboard #10 "Bendicion" (steered his horse in sharply bumping inside horses).

For this violation, the Board of Stewards issued the following penalty:

A 7-calendar day suspension, beginning on August 25, 2024, through August 31, 2024.

Mr. Luis Ramon Rodriguez may ride designated races.

16.47.1.12 (G)(4)(a) Jockey Suspensions and Designated Races.

16.47.1.12 (G)(5)(a)(b)

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."

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."

This ruling is written in accordance with:

15.2.1.9(A)(4)(c) Last Known Address

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

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 cash, a cashier's check, or money order." The last day to file an appeal is August 28, 2024.



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4900 Alameda NE
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Ruling #: **2024-RUI-70**
Track: Ruidoso Downs
Ruling Date: 8/18/2024

Licensee: RODRIGUEZ, LUIS RAMON
License Type: 2022 3 Year Jockey Applicant Id: 2581
License Number: 303524

By Order of The Ruidoso Downs Stewards

Geoffrey Waples *Dustin Smith*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-71**
Track: Ruidoso Downs
Ruling Date: 8/18/2024

Licensee: **RODRIGUEZ, LUIS RAMON**
License Type: 2022 3 Year Jockey Applicant Id: 2581
License Number: 303524

Ruling # 2024-RUI-71

Action Type: Initial Ruling

Ruling:

Jockey Luis Ramon Rodriguez having tested positive in a random drug test taken at the discretion of the stewards on August 18, 2024, for the controlled substance **Tramadol** without a prescription, is hereby summarily suspended (per 15.2.1.9 (A)(3)(b) (Summary Suspension) by the Ruidoso Downs @ D.A.A Board of Stewards effective August 18, 2024, pending the outcome of a summary suspension hearing scheduled for Monday August 26, 2024 at 9:00 A.M. in the stewards office at the Downs of Albuquerque (145 Louisiana Blvd. NE, Albuquerque, NM 87108)

Luis Ramon Rodriguez is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per 15.2.1.9 (B)(21) (a-b) Exclusion.

Licensee is found in violation of NMAC:

16.47.1.17 HUMAN DRUG OR CONTROLLED SUBSTANCE AND ALCOHOL TESTING:

16.47.1.17(A)(B)(2)(7) Restricted activities: All licensees may be subject to testing for controlled substances, drugs and alcohol. It shall be a violation for a licensee to utilize their commission issued license if the licensee:

(2) possesses, without a valid prescription, a controlled substance

(7) presently has drugs or controlled substances or alcohol in their body\

16.47.1.18(A)(1)(2)(3)(5)(6)(7)(8) TESTING PROCEDURES:

This ruling is written in accordance with NMAC:

15.2.1.9(A)(4)(a) Notice

15.2.1.9 (A)(4)(c) Last Known Address

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

By Order of The Ruidoso Downs Stewards

Heffey Wapler David Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-72
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

Ruling # 2024-RUI-72

Action Type: Initial Ruling

Ruling:

Trainer David Hancock was duly notified and appeared via Microsoft Teams for his disciplinary hearing on Monday August 5, 2024, at 9:00 AM before the NMRC Board of Stewards. This hearing involved the horse "Mr Talker Runaway", and whether Mr. Hancock, despite being the trainer of record, was engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry and, if so, whether a penalty or other disciplinary action should be imposed upon him for such violation(s). The hearing involved the following Commission Rules and whether Mr. Hancock has violated any such Rules:

NMAC 15.2.1.7(P)(15) "Program Trainer" defined;
NMAC 15.2.5.1(C)(2)(d): Protests, Objections and Inquiries;
NMAC 16.47.1.8.(L)(1)(d)(f)(i)(o); Grounds for Disciplinary Measures;
NMAC 16.47.1.8(T) Licensee Knowledge of Rules;
NMAC 16.47.1.10(C)(6)(7) Trainer responsibility, disclosure;
NMAC 16.47.1.10(F)(1)(a-g)(2)(a-d)(3) Trainer; Program Trainer

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence revealed Mr. Hancock, the trainer of record for "Mr. Talker Runaway" during the Sunland Park race meet, was in fact engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry. Also, during the hearing it was revealed Mr. Hancock made false or misleading statements to a Commission Investigator during her investigation of this matter. Specifically, Mr. Hancock's statements to the Commission Investigator did not comport with the documentary evidence presented in this matter.

Aggravating Factors:

- 1) Making false or misleading statements to a Commission Investigator during her investigation of the licensee;
- 2) Failing to submit records of receipts of training or cost of training in response to a Commission-issued subpoena to do so;
- 3) The horse "Mr Talker Runaway" tested positive for a banned substance during OOTC, and;
- 4) This is Mr. Hancock's fourth (4th) offense of being involved in program training a scheme which defrauded the betting public and engaging in conduct detrimental to



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Ruling #: 2024-RUI-72
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

the honesty and integrity of the horseracing industry.

Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering all Aggravating factors, pursuant to Commission Rules 16.47.1.9(F)(2)(a-d) and 16.47.1.10(F)(2)(c), the NMRC Board of Stewards determines the following penalties be imposed:

1. Mr. David Hancock is fined \$20,000 (Twenty-Thousand Dollars) for his fourth offense of participating a program training scheme to defraud the betting public, and engaging in conduct detrimental to the honesty and integrity of the horseracing industry, this one involving the horse "Mr Talker Runaway", and;
2. Mr. David Hancock's Commission-issued trainer's license is hereby revoked. In addition, Mr. Hancock is given a three-year (3) ban on reapplication for a Commission license, that ban commencing on February 7, 2030, through February 7, 2033. This ban will run consecutively, meaning it commences after his current suspension ends for Ruling 2024-RUI-52.

In accordance with Rule 15.2.1.9 (B)(21)(b), Mr. David Hancock 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 David Hancock are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21) (c).

The fine is imposed in accordance with Rule 15.2.3.8(B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f), all fines imposed by the Board of Stewards shall be paid within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Hancock's fine is due on or before September 4, 2024.

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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) (Penalty Recommendations);
NMAC 15.2.6.9(C)(1)(3)A (Trainer Responsibility);



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Ruling #: **2024-RUI-72**
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);
NMAC 16.47.1.10(B)(1-3) (Absolute Insurer).

Licensee's Right to Appeal:

NMAC 15.2.1.9(A)(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 August 31, 2024.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
1000 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-73**
Track: Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

Ruling # 2024-RUI-73

Action Type: Initial Ruling

Ruling:

Trainer David Hancock was duly notified for a disciplinary hearing but failed to appear. The hearing was held in absentia before the NMRC Board of Stewards via Microsoft Teams at 9:00 a.m. on August 5, 2024. This hearing was to determine if Mr. Hancock was engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry regarding the horse, "Sonny Surfer, and, if so, whether a penalty or other disciplinary action should be imposed upon him for such violation(s). The hearing involved the following Commission Rules and whether Mr. Hancock has violated any such Rules:

NMAC 15.2.1.7(P)(15) "Program Trainer" defined;
NMAC 15.2.5.1(C)(2)(d): Protests, Objections and Inquiries;
NMAC 16.47.1.8.(L)(1)(d)(f)(i)(o); Grounds for Disciplinary Measures;
NMAC 16.47.1.8(T) Licensee Knowledge of Rules;
NMAC 16.47.1.10(C)(6)(7) Trainer responsibility, disclosure;
NMAC 16.47.1.10(F)(1)(a-g)(2)(a-d)(3) Trainer; Program Trainer

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence revealed Mr. Hancock, despite being the trainer of record for "Sonny Surfer" during the Sunland Park race meet, was in fact engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry. Also, during the hearing it was revealed Mr. Hancock made false or misleading statements to a Commission Investigator during her investigation of this matter. Specifically, Mr. Hancock's statements to the Commission Investigator did not comport with the documentary evidence presented in this matter.

Aggravating Factors:

- 1) Making false or misleading statements to a Commission Investigator during her investigation of the licensee;
- 2) Failing to submit records of receipts of training or cost of training in response to a Commission-issued subpoena to do so;
- 3) The horse "Sonny Surfer" tested positive for a banned substance during OOTC, and;
- 4) This is Mr. Hancock's Fifth (5th) offense of participating in a program training scheme to defraud the betting public and which was conduct detrimental to the



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Licensee: HANCOCK, DAVID L

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

honesty and integrity of the horseracing industry.

Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering all Aggravating factors, pursuant to Commission Rules 16.47.1.9(F)(2)(a-d) and 16.47.1.10(F)(2)(c), the NMRC Board of Stewards determines the following penalties be imposed:

1. Mr. David Hancock is fined \$20,000 (Twenty-Thousand Dollars) for his fifth offense of participating a program training scheme to defraud the betting public and engaging in conduct detrimental to the honesty and integrity of the horseracing industry, this one involving the horse "Sonny Surfer", and;

2. Mr. David Hancock's Commission-issued trainer's license is hereby revoked. In addition, Mr. Hancock is given a three-year (3) ban on reapplication for a Commission license, that ban commencing on February 8, 2033, through February 8, 2036. The ban will run consecutively, meaning it commences after his current suspension ends for Ruling 2024-RUI-72.

In accordance with Rule 15.2.1.9 (B)(21)(b), Mr. David Hancock 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 David Hancock are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21) (c).

The fine is imposed in accordance with Rule 15.2.3.8(B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f), all fines imposed by the Board of Stewards shall be paid within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Hancock's fine is due on or before September 4, 2024.

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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) (Penalty Recommendations);
NMAC 15.2.6.9(C)(1)(3)A (Trainer Responsibility);



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

NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);
NMAC 16.47.1.10(B)(1-3) (Absolute Insurer).

Licensee's Right to Appeal:

NMAC 15.2.1.9(A)(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 August 31, 2024.

By Order of The Ruidoso Downs Stewards

Stacey Waples



New Mexico Racing Commission
4300 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-74
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

Ruling # 2024-RUI-74

Action Type: Initial Ruling

Ruling:

Trainer David Hancock was duly notified for a disciplinary hearing but failed to appear. The hearing was held in absentia before the NMRC Board of Stewards via Microsoft Teams at 9:00 a.m. on August 7, 2024. This hearing involved the horse, "El Tres Menudos", and whether Mr. Hancock was engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry, and, if so, whether a penalty or other disciplinary action should be imposed upon him for such violation(s). The hearing involved the following Commission Rules and whether Mr. Hancock has violated any such Rules:

NMAC 15.2.1.7(P)(15) "Program Trainer" defined;
NMAC 15.2.5.1(C)(2)(d): Protests, Objections and Inquiries;
NMAC 16.47.1.8.(L)(1)(d)(f)(i)(o); Grounds for Disciplinary Measures;
NMAC 16.47.1.8(T) Licensee Knowledge of Rules;
NMAC 16.47.1.10(C)(6)(7) Trainer responsibility, disclosure;
NMAC 16.47.1.10(F)(1)(a-g)(2)(a-d)(3) Trainer; Program Trainer

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence revealed Mr. Hancock, the trainer of record for "El Tres Menudos" during the Sunland Park race meet, was in fact engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry. Also, during the hearing it was revealed Mr. Hancock made false or misleading statements to a Commission Investigator during her investigation of this matter. Specifically, Mr. Hancock's statements to the Commission Investigator did not comport with the documentary evidence presented in this matter.

Aggravating Factors:

- 1) Making false or misleading statements to a Commission Investigator during her investigation of the licensee;
- 2) Failing to submit records of receipts of training or cost of training in response to a Commission-issued subpoena to do so;
- 3) The horse "El Tres Menudos" tested positive for a banned substance during OOTC;
- 4) This is Mr. Hancock's Sixth (6th) offense for participating in a program training scheme to defraud the betting public and engaging in conduct detrimental to the



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Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

honesty and integrity of the horseracing industry, and;
5) Puncture mark and fresh blood found in the jugular groove on day of race.
(February 4, 2024).

Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering all Aggravating factors, pursuant to Commission Rules 16.47.1.9(F)(2)(a-d) and Rule 16.47.1.10(F)(2)(c), the NMRC Board of Stewards determines the following penalties be imposed:

1. Mr. David Hancock is fined \$20,000 (Twenty-Thousand Dollars) for his sixth offense of participating a program training scheme to defraud the betting public and engaging in conduct detrimental to the honesty and integrity of the horseracing industry, this one involving the horse "El Tres Menudos", and;
2. Mr. David Hancock's Commission-license trainer's license is hereby revoked. In addition, Mr. Hancock is given a three-year ban on reapplication for a Commission license, that ban commencing on February 9, 2036, through February 9, 2039. The ban will run consecutively, meaning it commences after his current suspension ends for Ruling 2024-RUI-73.

In accordance with Rule 15.2.1.9 (B)(21)(b), Mr. David Hancock 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 David Hancock are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21) (c).

The fine is imposed in accordance with Rule 15.2.3.8(B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f), all fines imposed by the Board of Stewards shall be paid within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Hancock's fine is due on or before September 4, 2024.

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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)



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Ruling #: **2024-RUI-74**
Track Ruidoso Downs
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Licensee: HANCOCK, DAVID L

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

NMAC 15.2.5.13(E)(4)(d) (Penalty Recommendations);
NMAC 15.2.6.9(C)(1)(3)A (Trainer Responsibility);
NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);
NMAC 16.47.1.10(B)(1-3) (Absolute Insurer).

Licensee's Right to Appeal:

NMAC 15.2.1.9(A)(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 August 31, 2024.

By Order of The Ruidoso Downs Stewards

Geoffrey Waples

[Signature]

[Signature]



New Mexico Racing Commission
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Albuquerque, NM 87113

Ruling #: 2024-RUI-75
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

Ruling # 2024-RUI-75

Action Type: Initial Ruling

Ruling:

Trainer David Hancock was duly notified for a disciplinary hearing but having failed to appear, the hearing was held in absentia before the NMRC Board of Stewards via Microsoft Teams at 9:00 a.m. on August 7, 2024. This hearing was to determine if Mr. Hancock was engaged in a program training scheme to defraud the betting public, regarding the horse "Miss Tizzy", for which he was listed as the trainer of record during the Sunland Park race meet, which would be conduct detrimental to the honesty and integrity of the horseracing industry and in contravention to Commission Rules, and, if so, whether a penalty or other disciplinary action should be imposed upon him for such violation(s). The hearing involved the following Commission Rules and whether Mr. Hancock has violated any such Rules:

NMAC 15.2.1.7(P)(15) "Program Trainer" defined;
NMAC 15.2.5.1(C)(2)(d): Protests, Objections and Inquiries;
NMAC 16.47.1.8.(L)(1)(d)(f)(i)(o); Grounds for Disciplinary Measures;
NMAC 16.47.1.8(T) Licensee Knowledge of Rules;
NMAC 16.47.1.10(C)(6)(7) Trainer responsibility, disclosure;
NMAC 16.47.1.10(F)(1)(a-g)(2)(a-d)(3) Trainer; Program Trainer

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence revealed Mr. Hancock, the trainer of record for "Miss Tizzy" during the Sunland Park race meet, was in fact engaged in a program training scheme which defrauded the betting public, and which was conduct detrimental to the honesty and integrity of the horseracing industry. Also, during the hearing it was revealed Mr. Hancock made false or misleading statements to a Commission Investigator during her investigation of this matter. Specifically, Mr. Hancock's statements to the Commission Investigator did not comport with the documentary evidence presented in this matter.

Aggravating Factors:

- 1) Making false or misleading statements to a Commission Investigator during her investigation of the licensee;
- 2) Failing to submit records of receipts of training or cost of training in response to a Commission-issued subpoena to do so;
- 3) The horse "Miss Tizzy" tested positive for a banned substance during OOTC;
- 4) A puncture mark and fresh blood found in the jugular groove of the horse "Miss Tizzy" on day of race, February 4, 2024, and;



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Ruling #: 2024-RUI-75
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

5) This is Mr. Hancock's Seventh (7th) offense for participating in a program training scheme to defraud the betting public and which was conduct detrimental to the honesty and integrity of the horseracing industry.

Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering all Aggravating factors, pursuant to Commission Rule 16.47.1.9(F)(2)(a-d), the NMRC Board of Stewards determines the following penalties be imposed:

1. Mr. David Hancock is fined \$20,000 (Twenty-Thousand Dollars) for his seventh (7th) offense of program training, a scheme to defraud the betting public and which was conduct detrimental to the honesty and integrity of the horseracing industry, and;
2. Mr. David Hancock's Commission-issued trainer's license is hereby revoked. In addition, Mr. Hancock is given a three-year (3) ban on reapplication for a Commission license, that ban commencing on February 10, 2039, through February 10, 2042, per Rule 16.47.1.10(F)(2)(c). The ban will run consecutively, meaning it commences after his current suspension ends for Ruling 2024-RUI-74.

In accordance with Rule 15.2.1.9 (B)(21)(b), Mr. David Hancock 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 David Hancock are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21) (c).

The fine is imposed in accordance with Rule 15.2.3.8(B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f), all fines imposed by the Board of Stewards shall be paid within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Hancock's fine is due on or before September 4, 2024.

This Ruling is written in accordance with the following Commission Rules:

- NMAC 15.2.1.9(A) (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) (Penalty Recommendations);



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-75
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

NMAC 15.2.6.9(C)(1)(3)A (Trainer Responsibility);
NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);
NMAC 16.47.1.10(B)(1-3) (Absolute Insurer).

Licensee's Right to Appeal:

NMAC 15.2.1.9(A)(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 August 31, 2024.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-76
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

Ruling # 2024-RUI-76

Action Type: Initial Ruling

Ruling:

Trainer David Hancock was duly notified and appeared via Microsoft Teams for his disciplinary hearing on Monday August 19, 2024, at 9:00 AM before the NMRC Board of Stewards. This hearing involved the horse, "Dashing Bette" and whether Mr. Hancock was engaged in a program training scheme to defraud the betting public and participated in conduct which is detrimental to the honesty and integrity of the horseracing industry, and, if so, whether a penalty or other disciplinary action should be imposed upon him for such violation(s). The hearing involved the following Commission Rules and whether Mr. Hancock has violated any such Rules:

NMAC 15.2.1.7(P)(15) "Program Trainer" defined;
NMAC 15.2.5.1(C)(2)(d): Protests, Objections and Inquiries;
NMAC 16.47.1.8.(L)(1)(d)(f)(i)(o); Grounds for Disciplinary Measures;
NMAC 16.47.1.8(T) Licensee Knowledge of Rules;
NMAC 16.47.1.10(C)(6)(7) Trainer responsibility, disclosure;
NMAC 16.47.1.10(F)(1)(a-g)(2)(a-d)(3) Trainer; Program Trainer

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence revealed Mr. Hancock, the trainer of record for "Dashing Bette" during the Sunland Park race meet, was in fact engaged in a program training scheme to defraud the betting public and which was conduct detrimental to the honesty and integrity of the horseracing industry. Also, during the hearing it was revealed Mr. Hancock made false or misleading statements to a Commission Investigator during her investigation of this matter. Specifically, Mr. Hancock's statements to the Commission Investigator did not comport with the documentary evidence presented in this matter.

Aggravating Factors:

- 1) Making false or misleading statements to a Commission Investigator during her investigation of the licensee;
- 2) Failing to submit records of receipts of training or cost of training in response to a Commission-issued subpoena to do so;
- 3) The horse "Dashing Bette" tested positive for a banned substance during OOTC, and;
- 4) This is Mr. Hancock's eighth (8th) offense of being involved in a program training scheme to defraud the betting public and participating in conduct detrimental to the



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-76
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

honesty and integrity of the horseracing industry.
Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering all Aggravating factors, pursuant to Commission Rules 16.47.1.9(F)(2)(a-d) and 16.47.1.10(F)(2)(c), the NMRC Board of Stewards determines the following penalties be imposed:

1. Mr. David Hancock is fined \$20,000 (Twenty-Thousand Dollars) for his eighth offense of participating a program training scheme to defraud the betting public and engaging in conduct detrimental to the honesty and integrity of the horseracing industry, this one involving the horse "Dashing Bette", and;
2. Mr. David Hancock's license is hereby revoked. In addition, Mr. Hancock is given a three-year ban on reapplication for a Commission license, that ban commencing on February 11, 2042, through February 11, 2045. The ban will run consecutively, meaning it commences after his current suspension ends for Ruling 2024-RUI-75.

In accordance with Rule 15.2.1.9 (B)(21)(b), Mr. David Hancock 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 David Hancock are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21) (c).

The fine is imposed in accordance with Rule 15.2.3.8(B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f), all fines imposed by the Board of Stewards shall be paid within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Hancock's fine is due on or before September 4, 2024.

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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) (Penalty Recommendations);
NMAC 15.2.6.9(C)(1)(3)A (Trainer Responsibility);
NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-76
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);
NMAC 16.47.1.10(B)(1-3) (Absolute Insurer).

Licensee's Right to Appeal:

NMAC 15.2.1.9(A)(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 August 31, 2024.

By Order of The Ruidoso Downs Stewards

Heoffy Waples

[Signature]

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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-77
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

Ruling # 2024-RUI-77

Action Type: Initial Ruling

Ruling:

Trainer David Hancock was duly notified and appeared via Microsoft Teams for his disciplinary hearing on Monday August 19, 2024, at 10:00 AM before the NMRC Board of Stewards. This hearing involved the horse "Bux Streakin" and whether Mr. Hancock was engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry, and, if so, whether a penalty or other disciplinary action should be imposed upon him for such violation(s). The hearing involved the following Commission Rules and whether Mr. Hancock has violated any such Rules:

NMAC 15.2.1.7(P)(15) "Program Trainer" defined;
NMAC 15.2.5.1(C)(2)(d): Protests, Objections and Inquiries;
NMAC 16.47.1.8.(L)(1)(d)(f)(i)(o); Grounds for Disciplinary Measures;
NMAC 16.47.1.8(T) Licensee Knowledge of Rules;
NMAC 16.47.1.10(C)(6)(7) Trainer responsibility, disclosure;
NMAC 16.47.1.10(F)(1)(a-g)(2)(a-d)(3) Trainer; Program Trainer

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence revealed Mr. Hancock, the trainer of record for "Bux Streakin" during the Sunland Park race meet, was in fact engaged in a program training scheme to defraud the betting public and which was conduct detrimental to the honesty and integrity of the horseracing industry. Also, during the hearing it was revealed Mr. Hancock made false or misleading statements to a Commission Investigator during her investigation of this matter. Specifically, Mr. Hancock's statements to the Commission Investigator did not comport with the documentary evidence presented in this matter.

Aggravating Factors:

- 1) Making false or misleading statements to a Commission Investigator during her investigation of the licensee;
- 2) Failing to submit records of receipts of training or cost of training in response to a Commission-issued subpoena to do so;
- 3) The horse "Bux Streakin" tested positive for a banned substance during OOTC, and;
- 4) This is Mr. Hancock's ninth (9th) offense for participating in program training scheme to defraud the betting public and which was conduct detrimental to the



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-77
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

honesty and integrity of the horseracing industry.

Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering all Aggravating factors, pursuant to Commission Rule 16.47.1.9(F)(2)(a-d), the NMRC Board of Stewards determines the following penalties be imposed:

1. Mr. David Hancock is fined \$20,000 (Twenty-Thousand Dollars) for his ninth offense of participating program training, a scheme to defraud the betting public and which was conduct detrimental to the honesty and integrity of the horseracing industry, this one involving the horse "Bux Streakin", and;
2. Mr. David Hancock's license is hereby revoked. In addition, Mr. Hancock is given a three-year ban on reapplication for a Commission license, that ban commencing on February 12, 2045, through February 12, 2048, per Rule 16.47.1.10(F)(2)(c). The ban will run consecutively, meaning it commences after his current suspension ends for Ruling 2024-RUI-76.

In accordance with Rule 15.2.1.9 (B)(21)(b), Mr. David Hancock 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 David Hancock are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21) (c).

The fine is imposed in accordance with Rule 15.2.3.8(B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f), all fines imposed by the Board of Stewards shall be paid within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Hancock's fine is due on or before September 4, 2024.

This Ruling is written in accordance with the following Commission Rules:

- NMAC 15.2.1.9(A) (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) (Penalty Recommendations);
- NMAC 15.2.6.9(C)(1)(3)A (Trainer Responsibility);



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-77**
Track: Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);
NMAC 16.47.1.10(B)(1-3) (Absolute Insurer).

Licensee's Right to Appeal:

NMAC 15.2.1.9(A)(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 August 31, 2024.

By Order of The Ruidoso Downs Stewards

Steffy Warlen

[Signature]

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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-78
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

Ruling # 2024-RUI-78

Action Type: Initial Ruling

Ruling:

Trainer David Hancock was duly notified and appeared via Microsoft Teams for his disciplinary hearing on Monday August 19, 2024, at 10:00 AM before the NMRC Board of Stewards. Regarding the horse, "Mr. Coronado", this hearing was to determine if Mr. Hancock was engaged in a program training scheme to defraud the betting public and participated in conduct which is detrimental to the honesty and integrity of the horseracing industry, and, if so, whether a penalty or other disciplinary action should be imposed upon him for such violation(s). The hearing involved the following Commission Rules and whether Mr. Hancock has violated any such Rules:

NMAC 15.2.1.7(P)(15) "Program Trainer" defined;
NMAC 15.2.5.1(C)(2)(d): Protests, Objections and Inquiries;
NMAC 16.47.1.8.(L)(1)(d)(f)(i)(o); Grounds for Disciplinary Measures;
NMAC 16.47.1.8(T) Licensee Knowledge of Rules;
NMAC 16.47.1.10(C)(6)(7) Trainer responsibility, disclosure;
NMAC 16.47.1.10(F)(1)(a-g)(2)(a-d)(3) Trainer; Program Trainer

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence revealed Mr. Hancock, the trainer of record for "Mr. Coronado" during the Sunland Park race meet, was in fact engaged in a program training scheme to defraud the betting public and which was conduct detrimental to the honesty and integrity of the horseracing industry. Also, during the hearing it was revealed Mr. Hancock made false or misleading statements to a Commission Investigator during her investigation of this matter. Specifically, Mr. Hancock's statements to the Commission Investigator did not comport with the documentary evidence presented in this matter.

Aggravating Factors:

- 1) Making false or misleading statements to a Commission Investigator during her investigation of the licensee;
- 2) Failing to submit records of receipts of training or cost of training in response to a Commission-issued subpoena to do so;
- 3) The horse "Mr. Coronado" tested positive for a banned substance during OOTC, and;
- 4) This is Mr. Hancock's tenth (10th) offense for participating in a program training scheme to defraud the betting public and which was conduct detrimental to the



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-78
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

honesty and integrity of the horseracing industry.

Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering all Aggravating factors, pursuant to Commission Rules 16.47.1.9(F)(2)(a-d) and 16.47.1.10(F)(2)(c), the NMRC Board of Stewards determines the following penalties be imposed:

1. Mr. David Hancock is fined \$20,000 (Twenty-Thousand Dollars) for his tenth offense of participating a program training scheme to defraud the betting public, and engaging in conduct detrimental to the honesty and integrity of the horseracing industry, this one involving the horse "Mr. Coronado";
2. Mr. David Hancock's license is hereby revoked. In addition, Mr. Hancock is given a three-year (3) ban on reapplication for a Commission license, that ban commencing on February 13, 2048, through February 13, 2051. The ban will run consecutively, meaning it commences after his current suspension ends for Ruling 2024-RUI-77.
3. Prior to reapplication for a New Mexico Racing Commission license, Mr. David Hancock shall be required to take and pass all sections of the New Mexico Racing Commission written Trainers Test, appear before the Racing Commission for consideration, and shall have paid in full all outstanding fines imposed by the Commission.

In accordance with Rule 15.2.1.9 (B)(21)(b), Mr. David Hancock 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 David Hancock are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21) (c).

The fine is imposed in accordance with Rule 15.2.3.8(B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f), all fines imposed by the Board of Stewards shall be paid within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Hancock's fine is due on or before September 4, 2024.

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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)



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-78**
Track: Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HANCOCK, DAVID L

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

NMAC 15.2.5.12(B)(1) (Horse Ineligibility)
NMAC 15.2.5.13(E)(4)(d) (Penalty Recommendations);
NMAC 15.2.6.9(C)(1)(3)A (Trainer Responsibility);
NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);
NMAC 16.47.1.10(B)(1-3) (Absolute Insurer).

Licensee's Right to Appeal:

NMAC 15.2.1.9(A)(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 Tuesday, August 31, 2024.

By Order of The Ruidoso Downs Stewards

Heffer Waples

[Signature]

[Signature]



New Mexico Racing Commission
4000 Alameda NE
Albuquerque, NM 87112

Ruling #: 2024-RUI-79
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HARSE, CHRISTOPHER J

License Type: 2022 3 Year Owner Applicant Id: 26777
License Number: 304988

Ruling # 2024-RUI-79

Action Type: Initial Ruling

Ruling:

Owner Christopher Harse having been duly notified appeared via Microsoft Teams for his disciplinary hearing on Monday, August 12th, 2024, at 9:00 AM before the NMRC Board of Stewards. This hearing involved the horse "Dashing Bette", and whether Mr. Harse was involved in a program training scheme to defraud the betting public and engaged in conduct detrimental to the honesty and integrity of the horseracing profession. Specifically, the question is whether Mr. Harse's horse, "Dashing Bette", was allegedly being trained by a program trainer, Mr. David Hancock, while actually in the care, custody and control of an individual, Mr. Martin Orona Jr., who is not currently licensed by the NMRC and/or is under current suspension. This hearing involved the following Commission Rules and whether Mr. Christopher Harse is in violation of any such Rules:

NMAC 15.2.5.14(C)(2)(d) Protests, Objections and Inquiries;
NMAC 16.47.1.8(L)(d)(e)(f)(i)(o) GENERAL PROVISIONS, Grounds for discipline;
NMAC 16.47.1.8. T Licensees KNOWLEDGE OF RULES;
NMAC 16.47.1.10(F)(1) (a-g)(2)(a-d)(3) (TRAINERS)

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence presented revealed that despite Mr. David Hancock being the trainer of record for "Dashing Bette", the horse was actually in the care, custody and control of an unlicensed, suspended trainer, Mr. Martin Orona Jr. Mr. Christopher Harse and Mr. Hancock were participating in a program training scheme to defraud the betting public and engaged in conduct detrimental to the honesty and integrity of the horseracing industry.

Aggravating Factors:

1. Failing to submit all records of receipts of training or cost of training when subpoenaed by the Commission to do so;
- 2) This is Mr. Harse's third offense of being involved in a program training scheme designed to defraud the betting public and engaging in conduct detrimental to the honesty and integrity of the horseracing profession, and;
- 3) The horse "Dashing Bette" tested positive for a banned substance during OOC testing.



New Mexico Racing Commission
4000 Alameda A.E.
Albuquerque, N.M. 87113

Ruling #: 2024-RUI-79
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HARSE, CHRISTOPHER J
License Type: 2022 3 Year Owner Applicant Id: 26777
License Number: 304988

Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering the above Aggravating factor, the NMRC Board of Stewards determines the following:

1. Mr. Christopher Harse is hereby fined \$20,000.00 (Twenty Thousand Dollars) for the Rule violation of being involved in a program training scheme to defraud the betting public and engaging in conduct detrimental to the honesty and integrity of the horseracing profession, given the horse "Dashing Bette" being in the actual care, custody and control of an individual who is not currently licensed by the NMRC and/or is under current suspension. Mr. Christopher Harse is given a suspension of three-years (36 months) to run consecutively starting January 31, 2026, through January 31, 2029, following his term of suspension for his Ruling 2024-RUI-56 involving the horse "Jess Makes Money".

2. Mr. Christopher Harse license is hereby revoked. In addition, Mr. Christopher Harse is given a three-year ban on reapplication for a Commission license, that ban commencing on January 31, 2026, through January 31, 2029, per Rule 16.47.1.10(F)(2)(c). The ban will run consecutively, meaning it commences after his current suspension ends for Ruling 2024-RUI-56

The horse "Dashing Bette" will stay on the Stewards' list pursuant to Commission Rule 15.2.6.9(C)(9); (10)(a-d); (11); (J)(4), and until owner Christopher Harse is reinstated to good standing.

The fine is imposed in accordance with Rule 15.2.3.8 (B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f) all fines imposed by the Board of Stewards shall be paid to the Commission within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Christopher Harse's fine is due on or before September 4, 2024.

In accordance with Rule 15.2.1.9 (B)(21)(b), Christopher Harse will be excluded from all areas and grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned or under the care of Christopher Harse are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Christopher Harse must be done in accordance with Rule 15.2.6.9(A)(13) and Rule 16.47.1.9(A)(6).



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-79**
Track: Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: HARSE, CHRISTOPHER J

License Type: 2022 3 Year Owner Applicant Id: 26777
License Number: 304988

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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) (Penalty Recommendations);
NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);

Licensee's Right to Appeal:

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. The last day to file appeal is August 31, 2024.

By Order of The Ruidoso Downs Stewards

Geoffrey Wapler *[Signature]* *[Signature]*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-80
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: AGUIRRE, JULIAN A

License Type: 2022 3 Year Owner Applicant Id: 164174
License Number: 303764

Ruling # 2024-RUI-80

Action Type: Initial Ruling

Ruling:

Owner Julian Aguirre having been duly notified and failing to appear via Microsoft Teams for his disciplinary hearing on Wednesday, August 7th, 2024, at 9:00 AM before the NMRC Board of Stewards, the hearing was held in absentia regarding his horse "El Tres Menudos" and whether Mr. Aguirre was involved in a program training scheme designed to defraud the betting public and which would be conduct detrimental to the honesty and integrity of the horseracing industry. Specifically, despite Mr. David Hancock being the trainer of record for "El Tres Menudos", was the horse actually in the care, custody and control of Mr. Martin Orona, Jr., who currently is not licensed by the NMRC and/or is under current suspension. This hearing involved the following Commission Rules and whether Mr. Julian Aguirre is in violation of any such Rules:

NMAC 15.2.5.14(C)(2)(d) Protests, Objections and Inquiries;
NMAC 16.47.1.8(L)(d)(e)(f)(i)(o) GENERAL PROVISIONS, Grounds for discipline;
NMAC 16.47.1.8. T Licensees KNOWLEDGE OF RULES;
NMAC 16.47.1.10(F)(1)(a-g)(2)(a-d)(3) TRAINERS

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence presented revealed Mr. David Hancock was not the actual trainer for "El Tres Menudos". Rather, Mr. Julian Aguirre and Mr. Hancock were engaged in program training scheme to defraud the betting public and which was conduct detrimental to the honesty and integrity of the horseracing industry, given the horse was actually under the care, custody and control of an unlicensed, suspended trainer, Mr. Martin Orona, Jr.

Aggravating Factors:

1. Failing to submit all records of receipts of training or cost of training when subpoenaed by the Commission to do so, and;
- 2) The horse "El Tres Menudos" testing positive for a banned substance during OOCT testing.

Mitigating Factors: None

Penalties Imposed on Licensee:



New Mexico Racing Commission
4900 Comada NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-80
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: AGUIRRE, JULIAN A

License Type: 2022 3 Year Owner Applicant Id: 164174
License Number: 303764

After hearing the evidence and testimony presented, and considering the above Aggravating Factors, the NMRC Board of Stewards determines the following penalties be imposed:

Mr. Julian Aguirre is hereby fined \$5,000.00 (Five Thousand Dollars) for the Rule violation of the horse " El Tres Menudos " being in the actual care, custody and control of an individual who is not currently licensed by the NMRC and/or is under current suspension, a program training scheme to defraud the betting public and which was detrimental to the honesty and integrity of the horseracing industry. Mr. Julian Aguirre is given a suspension of six (6) months starting August 09, 2024, through February 09, 2025.

The horse " El Tres Menudos " will stay on the Stewards' list until owner Julian Aguirre is reinstated to good standing.

The fine is imposed in accordance with Rule 15.2.3.8(B)(3)(e) and shall be paid to the Commission within fourteen (14) days after the issuance of this Ruling. See R. 15.2.1.9(A)(7)(f). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Mr. Julian Aguirre 's fine is due on or before September 4, 2024.

In accordance with Rule 15.2.1.9(B)(21)(b), Mr. Julian Aguirre shall be excluded from all areas and grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned or under the care of Julian Aguirre are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Julian Aguirre must be done in accordance with Rule 15.2.6.9(A)(13) and Rule 16.47.1.9(A)(6).

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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) (Penalty Recommendations);
NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);

Licensee's Right to Appeal:



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-80**
Track: Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: AGUIRRE, JULIAN A

License Type: 2022 3 Year Owner Applicant Id: 164174
License Number: 303764

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. The last day to file appeal is August 31, 2024.

By Order of The Ruidoso Downs Stewards

Meoffy Waitles

[Signature]

[Signature]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-81
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: AGUIRRE, JULIAN A

License Type: 2022 3 Year Owner Applicant Id: 164174
License Number: 303764

Ruling # 2024-RUI-81

Action Type: Initial Ruling

Ruling:

Owner Julian Aguirre, having been duly notified, appeared via Microsoft Teams for his disciplinary hearing on Wednesday, August 7, 2024, at 9:00 AM before the NMRC Board of Stewards. The hearing was held regarding whether Mr. Aguirre was involved in a program training scheme to defraud the betting public and engaged in conduct detrimental to the honesty and integrity of the horseracing industry. Specifically, regarding the horse "Miss Tizzy", the issue was whether it was allegedly being trained by a program trainer, Mr. David Hancock, while actually in the care, custody and control of an individual, Mr. Martin Orona Jr., who is not currently licensed by the NMRC and/or is under current suspension. This hearing involved the following Commission Rules and whether Mr. Julian Aguirre is in violation of any such Rules:

NMAC 15.2.5.14(C)(2)(d) Protests, Objections and Inquiries;
NMAC 16.47.1.8(L)(d)(e)(f)(i)(o) GENERAL PROVISIONS, Grounds for discipline;
NMAC 16.47.1.8. T Licensees KNOWLEDGE OF RULES;
NMAC 16.47.1.10(F)(1) (a-g)(2)(a-d)(3) (TRAINERS)

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence presented revealed Mr. David Hancock was the trainer of record for "Miss Tizzy". However, Mr. Julian Aguirre and Mr. Hancock were engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry, given the horse was actually under the care, custody and control of an unlicensed, suspended trainer, Mr. Martin Orona Jr.

Aggravating Factors:

1. Failing to submit all records of receipts of training or cost of training when subpoenaed by the Commission to do so;
- 2) This is Mr. Julian Aguirre's Second offense of being involved in a program training scheme designed to defraud the betting public and engaging in conduct detrimental to the honesty and integrity of the horseracing profession, and;
- 3) The horse "Miss Tizzy" tested positive for a banned substance during OOC testing.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87115

Ruling #: 2024-RUI-81
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: AGUIRRE, JULIAN A
License Type: 2022 3 Year Owner Applicant Id: 164174
License Number: 303764

Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering the above Aggravating factor, the NMRC Board of Stewards determines the following:

Mr. Julian Aguirre is hereby fined \$10,000.00 (Ten Thousand Dollars) for this second violation of being involved in a program training scheme to defraud the betting public and engaging in conduct detrimental to the honesty and integrity of the horseracing profession, given the horse "Miss Tizzy" being in the actual care, custody and control of an individual who is not currently licensed by the NMRC and/or is under current suspension. Mr. Julian Aguirre is given a suspension of one-year (12 months) to run consecutively starting February 10, 2025, through February 10, 2026, following his earlier term of suspension for his first program training and conduct violation in Ruling 2024-RUI-80 involving the horse "El Tres Menudos".

The horse "Miss Tizzy" will stay on the Stewards' list pursuant to Commission Rule 15.2.6.9(C)(9); (10)(a-d); (11); (J)(4), and until owner Julian Aguirre is reinstated to good standing.

The fine is imposed in accordance with Rule 15.2.3.8 (B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f) all fines imposed by the Board of Stewards shall be paid to the Commission within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Julian Aguirre's fine is due on or before September 4, 2024.

In accordance with Rule 15.2.1.9 (B)(21)(b), Julian Aguirre will be excluded from all areas and grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned or under the care of Julian Aguirre are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Julian Aguirre must be done in accordance with Rule 15.2.6.9(A)(13) and Rule 16.47.1.9(A)(6).

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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);



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-81**
Track: Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: AGUIRRE, JULIAN A

License Type: 2022 3 Year Owner Applicant Id: 164174
License Number: 303764

NMAC 15.2.5.13(E)(4)(d) (Penalty Recommendations);
NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);

Licensee's Right to Appeal:

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. The last day to file appeal is August 31, 2024.

By Order of The Ruidoso Downs Stewards

Geoffrey W. Waffler *[Signature]*

[Signature]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-82
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: GALAVIZ, RAUL

License Type: 2022 3 Year Owner Applicant Id: 164498
License Number: 304860

Ruling # 2024-RUI-82

Action Type: Initial Ruling

Ruling:

Owner Raul Galaviz having been duly notified appeared via Microsoft Teams for his disciplinary hearing on Monday, August 12, 2024, at 11:00 AM before the NMRC Board of Stewards. The hearing was held regarding the horse "Bux Streakin" and whether Mr. Galaviz was involved in a program training scheme designed to defraud the betting public and engaged in conduct which would be contrary to the honesty and integrity of the horseracing industry. Specifically, the question is whether Mr. Galaviz's horse, "Bux Streakin", was allegedly being trained by a program trainer, Mr. David Hancock, while actually in the care, custody and control in an individual, Mr. Martin Orona Jr., who is not currently licensed by the NMRC and/or is under current suspension. This hearing involved the following Commission Rules and whether Mr. Raul Galaviz is in violation of any such Rules:

NMAC 15.2.5.14(C)(2)(d) Protests, Objections and Inquiries;
NMAC 16.47.1.8(L)(d)(e)(f)(i)(o) GENERAL PROVISIONS, Grounds for discipline;
NMAC 16.47.1.8. T Licensees KNOWLEDGE OF RULES;
NMAC 16.47.1.10 (C)(6)(7)(F)(1) (a-g)(2)(a-d)(3) (TRAINERS)

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence presented revealed despite Mr. David Hancock being the trainer of record for "Bux Streakin", the horse was actually in the care, custody and control of an unlicensed, suspended trainer, Mr. Martin Orona Jr. Mr. Raul Galaviz and Mr. Hancock were engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry.

Aggravating Factors:

1. Failing to submit all records of receipts of training or cost of training when subpoenaed by the Commission to do so, and;

2) The horse "Bux Streakin" tested positive for a banned substance in OOCT testing.

Mitigating Factors: None

Penalties Imposed on Licensee:



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-82
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: GALAVIZ, RAUL

License Type: 2022 3 Year Owner Applicant Id: 164498
License Number: 304860

After hearing the evidence and testimony presented, and considering the above Aggravating factors, the NMRC Board of Stewards determines the following:

Mr. Raul Galaviz is hereby fined \$5,000.00 (Five Thousand Dollars) for the violation of participating in a program training scheme to defraud the betting public and engaging in conduct detrimental to the honesty and integrity of the racing industry given the horse "Bux Streakin" was in the actual care, custody and control of an individual who is not currently licensed by the NMRC and/or is under current suspension. Mr. Raul Galaviz is given a suspension of six (6) months starting August 12, 2024, through February 12, 2025.

The horse "Bux Streakin" will stay on the Stewards' list pursuant to Commission Rule 15.2.6.9(C)(9); (10)(a-d); (11); (J)(4), and until owner Raul Galaviz is reinstated to good standing.

The fine is imposed in accordance with Rule 15.2.3.8 (B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f) all fines imposed by the Board of Stewards shall be paid to the Commission within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Raul Galaviz's fine is due on or before September 4, 2024.

In accordance with Rule 15.2.1.9 (B)(21)(b), Raul Galaviz will be excluded from all areas and grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned or under the care of Raul Galaviz are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Raul Galaviz must be done in accordance with Rule 15.2.6.9(A)(13) and Rule 16.47.1.9(A)(6).

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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) (Penalty Recommendations);
NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-82**
Track: Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: GALAVIZ, RAUL

License Type: 2022 3 Year Owner Applicant Id: 164498
License Number: 304860

Licensee's Right to Appeal:

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. The last day to file appeal is August 31, 2024.

By Order of The Ruidoso Downs Stewards

Geoffrey Wafle

[Signature]

[Signature]



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-83
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: GALAVIZ, RAUL

License Type: 2022 3 Year Owner Applicant Id: 164498
License Number: 304860

Ruling # 2024-RUI-83

Action Type: Initial Ruling

Ruling:

Owner Raul Galaviz, having been duly notified, appeared via Microsoft Teams for his disciplinary hearing on Monday, August 12th, 2024, at 11:00 AM before the NMRC Board of Stewards. The hearing was held regarding whether Mr. Galaviz was involved in a program training scheme to defraud the betting public and engaged in conduct detrimental to the honesty and integrity of the horseracing industry. Specifically, regarding the horse "Mr. Coronado", the issue was whether it was allegedly being trained by a program trainer, Mr. David Hancock, while actually in the care, custody and control of an individual, Mr. Martin Orona Jr., who is not currently licensed by the NMRC and/or is under current suspension. This hearing involved the following Commission Rules and whether Mr. Raul Galaviz is in violation of any such Rules:

NMAC 15.2.5.14(C)(2)(d) Protests, Objections and Inquiries;
NMAC 16.47.1.8(L)(d)(e)(f)(i)(o) GENERAL PROVISIONS, Grounds for discipline;
NMAC 16.47.1.8. T Licensees KNOWLEDGE OF RULES;
NMAC 16.47.1.10(F)(1) (a-g)(2)(a-d)(3) (TRAINERS)

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence presented revealed Mr. David Hancock was the trainer of record for "Mr. Coronado". However, Mr. Raul Galaviz and Mr. Hancock were engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry, given the horse was actually under the care, custody and control of an unlicensed, suspended trainer, Mr. Martin Orona Jr.

Aggravating Factors:

1. Failing to submit all records of receipts of training or cost of training when subpoenaed by the Commission to do so;
- 2) This is Mr. Raul Galaviz's Second offense of being involved in a program training scheme designed to defraud the betting public and engaging in conduct detrimental to the honesty and integrity of the horseracing profession, and;
- 3) The horse "Mr. Coronado" tested positive for a banned substance during OOC testing.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-83
Track Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: GALAVIZ, RAUL

License Type: 2022 3 Year Owner

Applicant Id: 164498

License Number: 304860

Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering the above Aggravating factors, the NMRC Board of Stewards determines the following:

Mr. Raul Galaviz is hereby fined \$10,000.00 (Ten Thousand Dollars) for the violation of participating in a program training scheme to defraud the betting public by the horse " Mr. Coronado " being in the actual care, custody and control of an individual who is not currently licensed by the NMRC and/or is under current suspension and for engaging in conduct which was detrimental to the honesty and integrity of the horseracing industry. Mr. Raul Galaviz is given a suspension of one-year (12 months) to run consecutively starting February 13, 2025, through February 13, 2026, following his term of suspension for his separate Ruling 2024-RUI-82. involving the horse "Bux Streakin".

The horse " Mr. Coronado " will stay on the Stewards' list pursuant to Rule 15.2.6.9(C) (9); (10)(a-d); (11); (J)(4), and until owner Raul Galaviz is reinstated to good standing.

The fine is imposed in accordance with Rule 15.2.3.8 (B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f) all fines imposed by the Board of Stewards shall be paid to the Commission within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Raul Galaviz 's fine is due on or before September 4, 2024.

In accordance with Rule 15.2.1.9 (B)(21)(b), Raul Galaviz will be excluded from all areas and grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned or under the care of Raul Galaviz are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Raul Galaviz must be done in accordance with Rule 15.2.6.9(A)(13) and Rule 16.47.1.9(A)(6).

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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) (Penalty Recommendations);



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-83**
Track: Ruidoso Downs
Ruling Date: 8/21/2024

Licensee: GALAVIZ, RAUL

License Type: 2022 3 Year Owner Applicant Id: 164498
License Number: 304860

NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);

Licensee's Right to Appeal:

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. The last day to file appeal is August 31, 2024.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-84**
Track: Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: FINCHER, LEROY ALBERT

License Type: 2023 3 Year Trainer Applicant Id: 16347
License Number: 308994

Ruling # 2024-RUI-84

Action Type: Initial Ruling

Ruling:

Trainer /Owner Leroy Fincher having been properly noticed and having appeared before the Ruidoso Downs @ D.A.A. Board of Stewards on August 23, 2024, waived his 10-day notice and formal hearing regarding a medication violation for a confirmed positive for Phenylbutazone (Class 4 penalty C drug) for sample E547418 for the horse "Wedding Groom" who finished first in the first race at Ruidoso Downs @ D.A.A. on August 4, 2024, and confirmed in the blood by Industrial Laboratories (the official lab for the NMRC) at .0791pg/ml (threshold .03).

Trainer Leroy Fincher was offered a split sample test and declined

For this violation the stewards have issued the following penalties.

1-A written warning letter was issued pursuant to 15.2.6.9 (B)(6). (Phenylbutazone at a level of 0.791pg/ml)

Purse redistribution is as follows pursuant to 15.2.3.8 B (3)(i)

- 1-Starlite Eagle
- 2- El Buenas Noches
- 3- Cleared Furr Takeoff
- 4- Cartel Attitude
- 5-Silverwind
- 6- Al Siete D Copas

Unplaced Wedding Groom

Wedding Groom is hereby disqualified and unplaced for all but pari-mutuel wagering.

The horse "Wedding Groom" must pass a commission approved examination before being eligible to enter.

This ruling is written in accordance with NMAC:

15.2.1.9(A)(4)(a) Notice

15.2.1.9 (A)(4)(c) Last Known Address

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

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-RUI-84**
Track **Ruidoso Downs**
Ruling Date: **8/23/2024**

Licensee: **FINCHER, LEROY ALBERT**
License Type: **2023 3 Year Trainer** Applicant Id: **16347**
License Number: **308994**

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 September 2, 2024.

By Order of The Ruidoso Downs Stewards

DR *David Fincher* *Geoffrey Waples*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-85**
Track: Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: **TORRES, DANIEL ANTONIO**
License Type: **2024 3 Year Jockey** Applicant Id: **30001**
License Number: **312787**

Ruling # 2024-RUI-85

Action Type: Initial Ruling

Ruling:

Jockey, Daniel Torres, having been summoned and having appeared before the Ruidoso Downs @ D.A.A. Board of Stewards, on August 23, 2024, for careless riding during the running of the 5th race on August 18, 2024, at Ruidoso Downs @ D.A.A., while aboard # 10 "My First Luv" crossed into the path of an inside horse #9 causing the horse to check and alter its course costing a better placing. #10 "My First Luv" was disqualified from 1st to 4th.

For this violation, the Board of Stewards issued the following penalty:

A 7-calendar day suspension, beginning on August 31, 2024, through September 6, 2024.

Mr. Daniel Torres may ride designated races.

16.47.1.12 (G)(4)(a) Jockey Suspensions and Designated Races.

16.47.1.12 (G)(5)(a)(b)

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."

15.2.5.13 (E)(3)(b) The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

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."

15.2.5.13 (E)(4)(a) Disqualification: When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last.

This ruling is written in accordance with NMAC:

15.2.1.9(A)(4)(c) Last Known Address

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-85**
Track: **Ruidoso Downs**
Ruling Date: **8/23/2024**

Licensee: **TORRES, DANIEL ANTONIO**

License Type: **2024 3 Year Jockey** Applicant Id: **30001**
License Number: **312787**

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 cash, a cashier's check, or money order." The last day to file an appeal is September 2, 2024.

Meoffy Warbler By Order of The Ruidoso Downs Stewards *DRR* *Daniel Smith*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-86**
Track: Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: **TORRES, DANIEL ANTONIO**
License Type: **2024 3 Year Jockey** Applicant Id: **30001**
License Number: **312787**

Ruling # 2024-RUI-86

Action Type: Initial Ruling

Ruling:

Jockey Daniel Torres having been duly notified and having appeared before the Ruidoso Downs @ D.A.A. Board of Stewards at 9:45 a.m. on August 23, 2024, for a citation that he received for race film review (5th race August 18). Mr. Torres was disrespectful to state investigator Elizabeth Garcia and the stewards.

The Board of Stewards hereby issue the following penalty:

1. A fine of Five Hundred Dollars (\$500.00) which must be paid on or before September 6, 2024, in accordance with 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time shall result in immediate suspension. Pursuant to Rule 15.2.1.9 (A)(7)(f) All fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered., unless otherwise ordered.

Licensee is found to be in violation and this rule is written in accordance with NMAC:

16.47.1.8 (L)(1)(i) – CONDUCT Which states in pertinent part "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 reflect on the honesty, and integrity of horse racing."

15.2.1.9 (A)(4)(c) Last Known Address
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)(2) License Required

15.2.1.9 (B)(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 or a money order or personal check." The last day to file an appeal is September 2, 2024.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-86**
Track Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: TORRES, DANIEL ANTONIO

License Type: 2024 3 Year Jockey Applicant Id: 30001
License Number: 312787

Daniel Torres *David Smith* *Jeffrey Wampler*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-87**
Track: **Ruidoso Downs**
Ruling Date: **8/23/2024**

Licensee: **GONZALEZ, CYNTHIA GUADALUPE**
License Type: **2023 3 Year Trainer** Applicant Id: **20355**
License Number: **307689**

Ruling # 2024-RUI-87

Action Type: Initial Ruling

Ruling:

Trainer, Cynthia Gonzalez, is hereby summarily suspended, effective immediately, August 23, 2024, pending the outcome of her summary suspension hearing scheduled for Friday, August 30th, 2024 at 9:00 A.M. in the office of the Board of Stewards at Ruidoso Downs Racetrack (at DAA) (108 California, Albuquerque NM 87108), per 15.2.1.9 (B)(3)(b) Summary Suspension. The summary suspension is regarding a medication violation on August 3rd, 2024 for first place finisher "Rock Candy Df" from the 6th race at Ruidoso Downs (AT DAA) Sample E547412 tested positive for the drug Albuterol a class 3 penalty A drug. An affidavit from Industrial Laboratories (the official laboratory for the NMAC.) on August 20th, 2024, reported the presence of Albuterol confirmed in urine.

(Cynthia Gonzalez was listed as the Trainer of "Rock Candy Df" at the time of this race.)
15.2.6.9 (C)(1)(4) Medication Restrictions; There is no permissible concentration of clenbuterol or albuterol that is allowed to appear in any official sample. This includes samples collected from Quarter Horses and Thoroughbreds.

NMAC 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license: (1) 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:

(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;

In accordance with 15.2.1.9 (C)(21), Cynthia Gonzalez 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 Cynthia Gonzalez 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 Cynthia Gonzalez 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 NMAC:

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-87**
Track Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: GONZALEZ, CYNTHIA GUADALUPE
License Type: 2023 3 Year Trainer Applicant Id: 20355
License Number: 307689

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)

15.2.6.9 NMAC. Penalty Recommendations

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 in.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-88**
Track: Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: **GARCIA, MODESTO**

License Type: **2023 3 Year Owner** Applicant Id: **23667**
License Number: **308815**

Ruling # **2024-RUI-88**

Action Type: **Initial Ruling**

Ruling:

Owner Mr. Modesto Garcia having been duly notified appeared via Microsoft Teams for his disciplinary hearing on Monday, August 5, 2024, at 9:00 AM before the NMRC Board of Stewards. The hearing was held regarding the horse "Mr. Talker Runaway" and whether Mr. Modesto Garcia was involved in a program training scheme designed to defraud the betting public and engaged in conduct which would be contrary to the honesty and integrity of the horseracing industry. Specifically, the question is whether Mr. Modesto Garcia's horse, "Mr. Talker Runaway", was allegedly being trained by a program trainer, Mr. David Hancock, while actually in the care, custody and control in an individual, Mr. Martin Orona Jr., who is not currently licensed by the NMRC and/or is under current suspension. This hearing involved the following Commission Rules and whether Mr. Modesto Garcia is in violation of any such Rules:

NMAC 15.2.5.14(C)(2)(d) Protests, Objections and Inquiries;
NMAC 16.47.1.8(L)(d)(e)(f)(i)(o) GENERAL PROVISIONS, Grounds for discipline;
NMAC 16.47.1.8. T Licensees KNOWLEDGE OF RULES;
NMAC 16.47.1.10 (C)(6)(7)(F)(1) (a-g)(2)(a-d)(3) (TRAINERS)

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence presented revealed despite Mr. David Hancock being the trainer of record for "Mr. Talker Runaway", the horse was actually in the care, custody and control of an unlicensed, suspended trainer, Mr. Martin Orona Jr. Mr. Modesto Garcia and Mr. Hancock were engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry.

Aggravating Factors:

1. Failing to submit all records of receipts of training or cost of training when subpoenaed by the Commission to do so, and;
2. The horse "Mr. Talker Runaway" tested positive for a banned substance in OOCT testing.

Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering the above Aggravating factors, the NMRC Board of Stewards determines the following:

1. Mr. Modesto Garcia is hereby fined \$5,000.00 (Five Thousand Dollars) for the violation of participating in a program training scheme to defraud the betting public and engaging in conduct detrimental to the honesty and integrity of the racing industry given the horse "Mr. Talker Runaway" was in the actual care, custody and control of an individual who is not currently licensed by the NMRC and/or is under current suspension. Mr. Modesto Garcia is given a suspension of six (6) months starting August 5, 2024, through February 5, 2025.

The horse "Mr. Talker Runaway" will stay on the Stewards' list pursuant to Commission Rule 15.2.6.9(C)(9); (10)(a-d); (11); (J)(4), and until owner Modesto Garcia is reinstated to good standing.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-88**
Track: **Ruidoso Downs**
Ruling Date: **8/23/2024**

Licensee: **GARCIA, MODESTO**

License Type: **2023 3 Year Owner** Applicant Id: **23667**
License Number: **308815**

The fine is imposed in accordance with Rule 15.2.3.8 (B)(3)(e). Failure to pay the fine within the prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f) all fines imposed by the Board of Stewards shall be paid to the Commission within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Mr. Modesto Garcia's fine is due on or before September 4, 2024.

In accordance with Rule 15.2.1.9 (B)(21)(b), Modesto Garcia will be excluded from all areas and grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned or under the care of Modesto Garcia are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Modesto Garcia must be done in accordance with Rule 15.2.6.9(A)(13) and Rule 16.47.1.9(A)(6).

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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) (Penalty Recommendations);
NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);

Licensee's Right to Appeal:

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. The last day to file appeal is September 2, 2024.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-89
Track Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: ORTIZ, MARIA GUADALUPE

License Type: Applicant Id: 31986
License Number:

Ruling # 2024-RUI-89

Action Type: Initial Ruling

Ruling:

Owner Ms. Maria Ortiz having been duly notified appeared via Microsoft Teams for her disciplinary hearing on Monday, August 5, 2024, at 11:00 AM before the NMRC Board of Stewards. The hearing was held regarding the horse "Sonny Surfer" and whether Ms. Maria Ortiz was involved in a program training scheme designed to defraud the betting public and engaged in conduct which would be contrary to the honesty and integrity of the horseracing industry. Specifically, the question is whether Ms. Maria Ortiz's horse, "Sonny Surfer", was allegedly being trained by a program trainer, Mr. David Hancock, while actually in the care, custody and control in an individual, Mr. Martin Orona Jr., who is not currently licensed by the NMRC and/or is under current suspension. This hearing involved the following Commission Rules and whether Ms. Maria Ortiz is in violation of any such Rules:

NMAC 15.2.5.14(C)(2)(d) Protests, Objections and Inquiries;

NMAC 16.47.1.8(L)(d)(e)(f)(i)(o) GENERAL PROVISIONS, Grounds for discipline;

NMAC 16.47.1.8. T Licensees KNOWLEDGE OF RULES;

NMAC 16.47.1.10 (C)(6)(7)(F)(1) (a-g)(2)(a-d)(3) (TRAINERS)

Basis for and Factors Relevant to Board of Stewards' Ruling:

The evidence presented revealed that despite Mr. David Hancock being the trainer of record for "Sonny Surfer", the horse was actually in the care, custody and control of an unlicensed, suspended trainer, Mr. Martin Orona Jr. Ms. Maria Ortiz and Mr. Hancock were engaged in a program training scheme to defraud the betting public and participated in conduct detrimental to the honesty and integrity of the horseracing industry.

Aggravating Factors:

1. Failing to submit all records of receipts of training or cost of training when subpoenaed by the Commission to do so, and;
2. The horse "Sonny Surfer" tested positive for a banned substance in OOCT testing.

Mitigating Factors: None

Penalties Imposed on Licensee:

After hearing the evidence and testimony presented, and considering the above Aggravating factors, the NMRC Board of Stewards determines the following:

1. Ms. Maria Ortiz is hereby fined \$5,000.00 (Five Thousand Dollars) for the violation of participating in a program training scheme to defraud the betting public and engaging in conduct detrimental to the honesty and integrity of the racing industry given the horse "Sonny Surfer" was in the actual care, custody and control of an individual who is not currently licensed by the NMRC and/or is under current suspension. Ms. Maria Ortiz is given a suspension of six (6) months starting August 5, 2024, through February 5, 2025.

The horse "Sonny Surfer" will stay on the Stewards' list pursuant to Commission Rule 15.2.6.9(C) (9); (10)(a-d); (11); (J)(4), and until owner Maria Ortiz is reinstated to good standing.

The fine is imposed in accordance with Rule 15.2.3.8 (B)(3)(e). Failure to pay the fine within the



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-89**
Track: **Ruidoso Downs**
Ruling Date: **8/23/2024**

Licensee: **ORTIZ, MARIA GUADALUPE**

License Type: **Applicant Id: 31986**
License Number:

prescribed period of time may result in immediate suspension. Pursuant to Rule 15.2.1.9(A)(7)(f) all fines imposed by the Board of Stewards shall be paid to the Commission within 14 days after the Ruling is issued, unless otherwise ordered. Therefore, Ms. Maria Ortiz's fine is due on or before September 4, 2024.

In accordance with Rule 15.2.1.9 (B)(21)(b), Maria Ortiz will be excluded from all areas and grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned or under the care of Maria Ortiz are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9 (B)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Maria Ortiz must be done in accordance with Rule 15.2.6.9(A)(13) and Rule 16.47.1.9(A)(6).

This Ruling is written in accordance with the following Commission Rules:

NMAC 15.2.1.9(A) (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) (Penalty Recommendations);
NMAC 16.47.1.8. T. (Knowledge of Rules);
NMAC 16.47.1.3 (Statutory Authority);
NMAC 16.47.1.8(L)(1)(d)(e)(f)(i)(o) (Grounds for Disciplinary Measures);
NMAC 16.47.1.8 (A)(2) (License Required);
NMAC 16.47.1.8(U)(1) (Protection of horses);

Licensee's Right to Appeal:

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. The last day to file appeal is August 31, 2024.

By Order of The Ruidoso Downs Stewards

Geoffrey Walker

[Signature]

D. R. L.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-90
Track Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: ORTIZ, MARIA GUADALUPE

License Type: Applicant Id: 31986
License Number:

Ruling # 2024-RUI-90

Action Type: Initial Ruling

Ruling:

issued in error

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-91**
Track: Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: KENDRICK,III DEWEY STOVALL

License Type: 2023 3 Year Owner Applicant Id: 165461
License Number: 308977

Ruling # 2024-RUI-91

Action Type: Initial Ruling

Ruling:

Owner Dewey S. Kendrick, III, having been represented by trainer Robi Meche and having been duly notified, waived his 10-day notice and formal hearing and appeared before the Board of Stewards at Ruidoso Downs @ D.A.A. on August 17, 2024 regarding a confirmed positive test for Dexamethasone, a Class 4, Penalty C drug, by Industrial Laboratory, the official laboratory of the NMRC, for sample #E547362 (Blood) for the horse "Zee Valiant Hero" who finished first in the 6th race at Ruidoso Downs @ D.A.A. on July 26, 2024 (AQHA John Deer Quarter Horse Juvenile Trials).

Split sample testing rights were afforded to trainer Robi Meche and owner Dewey S. Kendrick III, and were declined.

Ms. Robi Meche was the trainer of record on July 26, 2024

In accordance with Rule 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is owner Dewey S. Kendrick's first Class 4 Penalty C drug medication violation in a 365-day period.

15.2.5.14 D. (7) Protests, Objections and Inquiries: The stewards may order any purse, award or prize for any race withheld from distribution pending the determination of any protest. In the event any purse, award or prize has been distributed to an owner or for a horse which by reason of a protest or other reason is disqualified or determined to be not entitled to such purse, award or prize, the stewards or the commission may order such purse, award or prize returned and redistributed to the rightful owner or horse. Any person who fails to comply with an order to return any purse, award or prize erroneously distributed shall be subject to fines and suspension.

The Ruidoso Downs Board of Stewards hereby issue the following penalty:

The purse redistribution is as follows:

- 1) TRAIN B TAKA
- 2) THE CRIMINAL
- 3) MY FIRST LUV
- 4) FLY GIRL 123
- 5) INFYNITE
- 6) Cb CARTELS DASH
- 7) PISTOL WHIPPIN MAMA

"ZEE VALIANT HERO" is hereby disqualified and unplaced for all but pari-mutuel wagering purposes.

The horse "ZEE VALIANT HERO" must pass a commission approved examination before being eligible to enter.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-91**
Track: Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: KENDRICK, III DEWEY STOVALL

License Type: 2023 3 Year Owner Applicant Id: 165461
License Number: 308977

Licensee is found to be in violation of and this ruling is written in accordance with NMAC:
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, 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: August 2, 2024.

By Order of The Ruidoso Downs Stewards

Jeffrey Walker D R R David Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-92**
Track: Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: **MECHE, ROBI ALAURA**

License Type: **2024 1 Year Trainer** Applicant Id: **162343**
License Number: **312292**

Ruling # **2024-RUI-92**

Action Type: **Initial Ruling**

Ruling:

Trainer Robi Meche, having been duly notified and having waived her 10-day notice and formal hearing appeared before the Board of Stewards at Ruidoso Downs @ D.A.A. on August 17, 2024 regarding a medication violation on July 26, 2024, at Ruidoso Downs @ D.A.A. involving the first-place finisher of the 6th race (AQHA John Deer Quarter Horse Juvenile Trials), "Zee Valiant Hero", for Dexamethasone, a Class 4 Penalty C drug, found in blood sample #547362, confirmed by Industrial Laboratories (the official lab for the NMRC).

Trainer Robi Meche and owner Mr. Dewey S. Kendrick, III were offered a split sample test and declined

For this violation (first offense 365-day period) the Board of Stewards issues the following penalties:

1. A fine of One Thousand Dollars (\$1,000.00) which must be paid on or before September 6, 2024, in accordance with NMAC 15.2.3.8 (B)(3)(e). Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to NMAC 15.2.1.9(A)(7)(f) all fines imposed by the Stewards shall be paid to the Commission within 14 days after the Ruling is issued, unless otherwise ordered.

In addition, and pursuant to Rule 15.2.6.9(B)(1-7) trainer Robi Meche has accumulated a total of "1/2 point" for this violation.

Licensee is found in violation of NMAC:

NMAC 15.2.6.9 B (3) Medications and Prohibited Substances,
NMAC 15.2.6.11 A. Trainer Responsibility, NMAC 16.47.1.8.U. (1) Protection of Horses, NMAC 16.47.1.10 B. (1-3) Absolute Insurer and NMAC 16.47.1.8. T. Knowledge of Rules

This ruling is written in accordance with NMAC:

15.2.1.9(A)(4)(a) Notice
15.2.1.9 (A)(4)(c) Last Known Address
15.2.3.8 B (3)(e) 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 (L)(1) Grounds for Disciplinary Measures
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
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-RUI-92**
Track **Ruidoso Downs**
Ruling Date: **8/23/2024**

Licensee: **MECHE, ROBI ALAURA**

License Type: **2024 1 Year Trainer** Applicant Id: **162343**
License Number: **312292**

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 September 2, 2024.

By Order of The Ruidoso Downs Stewards

Reggie Wankle *DR* *Vesit Lucha*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-93**
Track: Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: GOURLEY, DOUG C

License Type: 2022 3 Year Owner Applicant Id: 5715
License Number: 306870

Ruling # 2024-RUI-93

Action Type: Initial Ruling

Ruling:

Owner Doug Gourley having been duly notified and having been represented by his trainer Leroy Fincher who appeared before the Ruidoso Downs @ D.A.A Board of Stewards on August 23, 2024, waived the 10-day notice and formal hearing regarding a medication violation for a confirmed positive for Phenylbutazone (Class 4 penalty C drug) for sample E547418 for the horse "Wedding Groom" who finished first in the first race at Ruidoso Downs @ D.A.A. on August 4, 2024, and confirmed in the blood by Industrial Laboratories (the official lab for the NMRC) at .0791pg/ml (threshold .03).

Owner Doug Gourley was offered a split sample and declined
Leroy Fincher was the trainer of record for "Wedding Groom".

In accordance with Rule 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Owner Doug Gourley's first Class 4C medication violation in a 365-day period.
15.2.5.14 D. (7) Protests, Objections and Inquiries

The Ruidoso Downs Board of Stewards hereby issue the following penalty:

Purse redistribution is as follows pursuant to 15.2.3.8 B (3)(i)

- 1 STARLITE EAGLE
- 2 EL BUENAS NOCHES
- 3 CLEARED FURR TAKEOFF
- 4 CARTEL ATTITUDE
- 5 SILVERWIND
- 6 AL SIETE D COPAS
- Unplaced WEDDING GROOM

Wedding Groom is hereby disqualified and unplaced for all but pari-mutuel wagering.
The horse "Wedding Groom" must pass a commission approved examination before being eligible to enter.

This ruling is written in accordance with NMAC:

- 15.2.1.9(A)(4)(a) Notice
- 15.2.1.9 (A)(4)(c) Last Known Address
- 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-93**
Track: Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: GOURLEY, DOUG C

License Type: 2022 3 Year Owner Applicant Id: 5715
License Number: 306870

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 September 2, 2024.

By Order of The Ruidoso Downs Stewards

Geoffrey White D R Ruidoso Downs



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-94**
Track: Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: FINCHER, MAUREEN SHANNON
License Type: 2021 3 Year Owner Applicant Id: 7711
License Number: 302061

Ruling # 2024-RUI-94

Action Type: Initial Ruling

Ruling:

Owner Maureen Fincher having been duly notified and having been represented by her trainer Leroy Fincher who appeared before the Ruidoso Downs @ D.A.A Board of Stewards on August 23, 2024, waived the 10-day notice and formal hearing regarding a medication violation for a confirmed positive for Phenylbutazone (Class 4 penalty 4 drug) for sample E547418 for the horse "Wedding Groom" who finished first in the first race at Ruidoso Downs @ D.A.A. on August 4, 2024, and confirmed in the blood by Industrial Laboratories (the official lab for the NMRC) at .0791pg/ml (threshold level .03).

Owner Maureen Fincher was offered a split sample and declined
Mr. Leroy Fincher was the trainer of record for "Wedding Groom".

In accordance with Rule 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Owner Maureen Fincher's first Class 4C medication violation in a 365-day period.
15.2.5.14 D. (7) Protests, Objections and Inquiries

The Ruidoso Downs Board of Stewards hereby issue the following penalty:

Purse redistribution is as follows pursuant to 15.2.3.8 B (3)(i)

- 1 STARLITE EAGLE
 - 2 EL BUENAS NOCHES
 - 3 CLEARED FURR TAKEOFF
 - 4 CARTEL ATTITUDE
 - 5 SILVERWIND
 - 6 AL SIETE D COPAS
- Unplaced WEDDING GROOM

Wedding Groom is hereby disqualified and unplaced for all but pari-mutuel wagering.

The horse "Wedding Groom" must pass a commission approved examination before being eligible to enter.

This ruling is written in accordance with NMAC:

- 15.2.1.9(A)(4)(a) Notice
- 15.2.1.9 (A)(4)(c) Last Known Address
- 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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-94**
Track: Ruidoso Downs
Ruling Date: 8/23/2024

Licensee: FINCHER, MAUREEN SHANNON

License Type: 2021 3 Year Owner Applicant Id: 7711
License Number: 302061

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 September 2, 2024.

By Order of The Ruidoso Downs Stewards

Heffley Waffle *David Austin DRA*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-95**
Track: Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: GONZALEZ, VERONICA O.

License Type: 2021 3 Year Owner Applicant Id: 32293
License Number: 303460

Ruling # 2024-RUI-95

Action Type: Initial Ruling

Ruling:

Owner Veronica Gonzalez having been duly notified and failed to appear for his hearing, was held in absentia before the Board of Stewards at Ruidoso Downs on August 17th, 2024 regarding a medication violation on July 7th, 2024, at Ruidoso Downs (at DAA) Racetrack, involving the first-place finisher of the 2nd race, "One Mighty Effort", for Flunixin, a Class 4 Penalty C drug, found in blood sample #E547215, confirmed by Industrial Laboratories (the official lab for the NMRC). at 117ng/mL. The measurement uncertainty of the method is 0.58 ng/ml at the threshold of 5 ng/mL.

Owner Veronica Gonzalez was offered a split sample and declined
Mr. Richard Sedillo was the trainer of record for "One Mighty Effort".

In accordance with Rule 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS,
This is Owner Veronica Gonzalez first Class 4C medication violation in a 365-day period.

The Ruidoso Downs Board of Stewards hereby issue the following penalty:
The purse redistribution is as follows:

- 1) Ultima Diva
- 2) Call It Corona
- 3) Tuco Salamanca
- 4) Chata Bigcartel
- 5) Enchiloso
- 6) Boy with Cash
- 7) Jess Sweet Prince
- 8) One Rascally Rabbit

"One Mighty Effort" UNPLACED

"One Mighty Effort" is hereby disqualified and unplaced for all but pari-mutuel wagering purposes.
The horse "One Mighty Effort" 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 NMAC:
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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-95**
Track: Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: GONZALEZ, VERONICA O.

License Type: 2021 3 Year Owner Applicant Id: 32293
License Number: 303460

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: September 2, 2024

By Order of The Ruidoso Downs Stewards

Geoffrey Waffler

TJ R

Robert Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-96**
Track: Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: SEDILLO, RICHARD D
License Type: 2023 3 Year Trainer Applicant Id: 29631
License Number: 307767

Ruling # 2024-RUI-96

Action Type: Initial Ruling

Ruling:

Trainer Richard Sedillo having been duly notified and failed to appear for his hearing, was held in absentia before the Board of Stewards at Ruidoso Downs on August 17th, 2024 regarding a medication violation on July 7th, 2024, at Ruidoso Downs (at DAA) Racetrack, involving the first-place finisher of the 2nd race, "One Mighty Effort", for Flunixin, a Class 4 Penalty C drug, found in blood sample #E547215, confirmed by Industrial Laboratories (the official lab for the NMRC). at 117ng/mL. The measurement uncertainty of the method is 0.58 ng/ml at the threshold of 5 ng/mL.

Trainer Richard Sedillo and owner Veronica Gonzalez were offered a split sample test and declined

Aggravating Factors:

- 1) Elevated level (23 times over allowable limit)

Mitigating Factors: None

For this violation (first offense 365-day period) the Board of Stewards issues the following penalties:

1. A fine of One Thousand Dollars (\$1,000.00) which must be paid on or before August 27th, 2024, in accordance with NMAC 15.2.3.8 (B)(3)(e). Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to NMAC 15.2.1.9(A)(7)(f) all fines imposed by the Stewards shall be paid to the Commission within 14 days after the Ruling is issued, unless otherwise ordered.

In addition, and pursuant to Rule 15.2.6.9(B)(1-7), trainer Richard Sedillo has accumulated a total of "1/2 point" for this violation.

Licensee is found in violation of NMAC:

NMAC 15.2.6.9 B (3) Medications and Prohibited Substances,
NMAC 15.2.6.11 A. Trainer Responsibility, NMAC 16.47.1.8.U. (1) Protection of Horses, NMAC 16.47.1.10 B. (1-3) Absolute Insurer and NMAC 16.47.1.8. T. Knowledge of Rules

This ruling is written in accordance with NMAC:

15.2.1.9(A)(4)(a) Notice
15.2.1.9 (A)(4)(c) Last Known Address
15.2.3.8 B (3)(e) 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 (L)(1) Grounds for Disciplinary Measures



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-96**
Track: Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: SEDILLO, RICHARD D

License Type: 2023 3 Year Trainer Applicant Id: 29631
License Number: 307767

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

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 September 2, 2024

By Order of The Ruidoso Downs Stewards

Gregory W. [Signature] *TJ [Signature]* *David [Signature]*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-97**
Track: Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: VALERIO, RYNE ANDREW
License Type: 2024 1 Year Owner Applicant Id: 18762
License Number: 311902

Ruling # 2024-RUI-97

Action Type: Initial Ruling

Ruling:

Owner Ryne Valerio having tested positive in a random drug test taken at the discretion of the stewards on August 23, 2024, for the controlled substance Amphetamine/Methamphetamine, is hereby summarily suspended (per 15.2.1.9 (A)(3)(b) (Summary Suspension) by the Ruidoso Downs @ D.A.A Board of Stewards effective August 24, 2024, pending the outcome of a summary suspension hearing scheduled for Friday August 30, 2024 at 10:00 A.M. in the stewards office at the Downs of Albuquerque (145 Louisiana Blvd. NE, Albuquerque, NM 87108)

Ryne Valerio is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC, per 15.2.1.9 (B)(21) (a-b) Exclusion.

Licensee is found in violation of NMAC:

16.47.1.17 HUMAN DRUG OR CONTROLLED SUBSTANCE AND ALCOHOL TESTING:

16.47.1.17(A)(B)(2)(7) Restricted activities: All licensees may be subject to testing for controlled substances, drugs and alcohol. It shall be a violation for a licensee to utilize their commission issued license if the licensee:

(7) presently has drugs or controlled substances or alcohol in their body

16.47.1.18(A)(1)(2)(3)(5)(6)(7)(8) TESTING PROCEDURES:

This ruling is written in accordance with NMAC:

15.2.1.9(A)(4)(a) Notice

15.2.1.9 (A)(4)(c) Last Known Address

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. 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

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-98**
Track: Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: RODRIGUEZ, XAVIER E.

License Type: 2021 3 Year Trainer Applicant Id: 35368
License Number: 302495

Ruling # 2024-RUI-98

Action Type: Initial Ruling

Ruling:

Trainer Xavier Rodriguez having been duly notified and having appeared to waive his 10-day notice and disciplinary hearing before the Board of Stewards on Saturday, August 24, 2024, at Ruidoso Downs (At DAA), 108 California Rd, Albuquerque NM 87108 for striking the horse "Celtic Wonder Boy" on August 10, 2024, while in the paddock for the 4th Race.

The Board of Stewards hereby assess the following penalties:

1. A fine of One Thousand Dollars (\$1,000.00). The Fine must be paid on or before September 7th, 2024, in accordance with NMAC 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to Rule NMAC 15.2.1.9 A(7)(f) all fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

Licensee is found to be in violation of NMAC:

16.47.1.8 (L)(1)(f)(i)(o) General Provisions: Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license; (o) Has engaged in conduct unbecoming or detrimental to the best interests of racing.

16.47.1.8 (U)(2) Protection of horses: 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.

This ruling is written in accordance with the following Commission Rules NMAC:

15.2.1.8 (B)(1) Commission General Authority

15.2.1.9 (A)(4)(c) Last Known Address

15.2.3.8 (B)(1)(a)(c)(d) Stewards General Authority

15.2.3.8 (B)(3)(a)(f) Stewards Disciplinary Action

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

15.2.1.9(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-RUI-98**
Track Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: RODRIGUEZ, XAVIER E.

License Type: 2021 3 Year Trainer Applicant Id: 35368
License Number: 302495

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 September 2, 2024

By Order of The Ruidoso Downs Stewards

Steffy Waples *TH* *David Smith*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-99**
Track: Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: GUTIERREZ, LEONARD JOHN

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

Ruling # 2024-RUI-99

Action Type: Initial Ruling

Ruling:

Trainer Leonard "Lee" Gutierrez having been properly summoned and having appeared before the Ruidoso Downs (At DAA) Board of Stewards on August 18th, 2024, regarding working unlicensed help in his barn on August 4th, 2024.

Aggravating Circumstances:

1. Had been warned on August 2nd, 2024, that his working help needed to be licensed by the NMRC.

The Board of Stewards hereby assess the following penalties:

1. Trainer Leonard "Lee" Gutierrez is hereby fined \$500.00. (Five Hundred Dollars). The Fine must be paid on or before September 7th, 2024, in accordance with NMAC 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to Rule NMAC 15.2.1.9 A(7)(f) all fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

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.

15.2.2.8 ASSOCIATIONS: A. General duty

15.2.3.8 B.1 (3)(a)(b)(d)(e). Stewards General Authority

15.2.3.8 B (3)(a)(g)(h) Stewards Disciplinary Action

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) (2) License Required

16.47.1.8 (T) Knowledge of Rules

15.2.1.9 B(4)(c) Last Known Address

15.2.1.9(B)(9)(a)(b) APPEALS

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 September 2, 2024



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-99**
Track Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: GUTIERREZ, LEONARD JOHN

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

By Order of The Ruidoso Downs Stewards

Heoffy Wapler *DR* *David Smith*



New Mexico Racing Commission
4000 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-RUI-100
Track Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: WOOD, STERLEN TREY

License Type: 2022 3 Year Trainer Applicant Id: 32499
License Number: 305338

Ruling # 2024-RUI-100

Action Type: Initial Ruling

Ruling:

Trainer S. Trey Woods having been properly summoned and having responded by telephone to waive his 10-day notice and disciplinary hearing before the Ruidoso Downs (At DAA) Board of Stewards on August 12th, 2024, for failure to have his entry "Eyeonagoodtime" available for pre-race examination necessitating a late scratch from race 5 on August 11, 2024, at Ruidoso Downs @ D.A.A Pursuant to rule NMRC 15.2.6.12 Physical Inspection of the Horse (A)(1) and 15.2.6.11 Trainer Responsibility (E)(10).

The Board of Stewards hereby assess the following penalties:

1. Trainer S. Trey Woods is hereby fined \$500.00. (Five Hundred Dollars). The Fine must be paid on or before September 7, 2024, in accordance with NMAC 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to Rule NMAC 15.2.1.9 A(7)(f) all fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

This ruling is written in accordance with NMAC:

15.2.6.11 TRAINER RESPONSIBILITY (E)(10) ensuring that every horse entered to race is present at its assigned stall for a pre-race soundness inspection as prescribed in this part;

15.2.6.12 PHYSICAL INSPECTION OF HORSES

(A) Assessment of racing condition:

- (1) Every horse entered to participate in an official race may be subjected to a veterinary inspection prior to starting in a race for which it is entered.

15.2.2.8 ASSOCIATIONS: A. General duty

15.2.3.8 B.1 (3)(a)(b)(d)(e). Stewards General Authority

15.2.3.8 B (3)(a)(g)(h) Stewards Disciplinary Action

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) (2) License Required

16.47.1.8 (T) Knowledge of Rules

15.2.1.9 B(4)(c) Last Known Address

15.2.1.9(B)(9)(a)(b) APPEALS

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



New Mexico Racing Commission
6900 Alameda NE
Albuquerque, NM 87112

Ruling #: 2024-RUI-100
Track Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: WOOD, STERLEN TREY

License Type: 2022 3 Year Trainer Applicant Id: 32499
License Number: 305338

\$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 September 3, 2024.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
6600 / Avenida NE
Albuquerque, NM 87123

Ruling #: 2024-RUI-101
Track Ruidoso Downs
Ruling Date: 8/24/2024

Licensee: ACOSTA, GABRIEL MORALES
License Type: 2023 3 Year Trainer Applicant Id: 10183
License Number: 308985

Ruling # 2024-RUI-101

Action Type: Initial Ruling

Ruling:

Trainer Gabriel Acosta having been properly summoned and having responded by telephone, waived his 10-day notice and formal disciplinary hearing before the Board of Stewards at Ruidoso Downs (At DAA) on August 17, 2024, for failure to have his entry "Ragtime Rythm" available for pre-race examination necessitating a late scratch from race 9 on August 16, 2024, Pursuant to rule NMRC 15.2.6.12 Physical Inspection of the Horse (A) (1) and 15.2.6.11 Trainer Responsibility (E)(10).

The Board of Stewards hereby assess the following penalties:

1. Trainer Gabriel Acosta is hereby fined \$500.00. (Five Hundred Dollars). The Fine must be paid on or before September 7, 2024, in accordance with NMAC 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to Rule NMAC 15.2.1.9 A(7)(f) all fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

This ruling is written in accordance with NMAC:

15.2.6.11 TRAINER RESPONSIBILITY (E)(10) ensuring that every horse entered to race is present at its assigned stall for a pre-race soundness inspection as prescribed in this part;
15.2.6.12 PHYSICAL INSPECTION OF HORSES

A. Assessment of racing condition:

(1) Every horse entered to participate in an official race may be subjected to a veterinary inspection prior to starting in a race for which it is entered.

15.2.2.8 ASSOCIATIONS: A. General duty

15.2.3.8 B.1 (3)(a)(b)(d)(e). Stewards General Authority

15.2.3.8 B (3)(a)(g)(h) Stewards Disciplinary Action

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) (2) License Required

16.47.1.8 (T) Knowledge of Rules

15.2.1.9 B(4)(c) Last Known Address

15.2.1.9(B)(9)(a)(b) APPEALS

15.2.1.9(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 money order, cashier's check or a



New Mexico Racing Commission
1800 Marmon Dr.
Albuquerque, NM 87102

Ruling #: **2024-RUI-101**
Track **Ruidoso Downs**
Ruling Date: **8/24/2024**

Licensee: **ACOSTA, GABRIEL MORALES**

License Type: **2023 3 Year Trainer** Applicant Id: **10183**
License Number: **308985**

corporate check. The last day to file an appeal is September 3, 2024.

Jeff Waller

DR

By Order of The Ruidoso Downs Stewards

Mark Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-102**
Track: Ruidoso Downs
Ruling Date: 8/25/2024

Licensee: ACOSTA, JR CARLOS HUGO
License Type: 2024 3 Year Trainer Applicant Id: 19413
License Number: 312150

Ruling # 2024-RUI-102

Action Type: Initial Ruling

Ruling:

Trainer Carlos Acosta Jr was duly notified and cited to go before the Ruidoso Downs (at DAA) Board of Stewards for being intoxicated in the paddock and testing positive on a Breath Alcohol Test on August 24th, 2024, while saddling his horse in the paddock. Carlos Acosta Jr appeared before the Board of Stewards on August 25th, 2024, at Ruidoso Downs @ D.A.A.


For Carlos Acosta Jr 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)(B)(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: September 3, 2024

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-103**
Track: Ruidoso Downs
Ruling Date: 8/25/2024

Licensee: **LOPEZ SAINZ, JOSE ALONZO**
License Type: **2024 1 Year Jockey** Applicant Id: **163887**
License Number: **311175**

Ruling # 2024-RUI-103

Action Type: Initial Ruling

Ruling:

Jockey Jose Lopez, having been properly summoned and having appeared before the Ruidoso Downs @D.A.A. Board of Stewards on August 25, 2024, waived his right to a 10-day notice and a formal hearing, for whipping #6 "Cartel Drunk Playboy" in the post parade prior to the running of the 3rd Race on August 24, 2024, at Ruidoso Downs @D.A.A.

The Board of Stewards hereby issue the following penalty:

1. A fine of Two Hundred Dollars (\$200.00) which must be paid on or before September 8, 2024, in accordance with 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time shall result in immediate suspension. Pursuant to Rule 15.2.1.9 (A)(7)(f) All fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

Licensee is found to be in violation of NMAC:

15.2.5.13 (D)(8) 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 NMAC:

- 15.2.1.9(A)(4)(a) Notice
- 15.2.1.9 (A)(4)(c) Last Known Address
- 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
- 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 September 4, 2024.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-103**
Track **Ruidoso Downs**
Ruling Date: **8/25/2024**

Licensee: **LOPEZ SAINZ, JOSE ALONZO**

License Type: **2024 1 Year Jockey** Applicant Id: **163887**
License Number: **311175**

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-104**
Track: Ruidoso Downs
Ruling Date: 8/25/2024

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

Ruling # 2024-RUI-104

Action Type: Initial Ruling

Ruling:

Jockey Jorge Nieto-Saenz, having been properly summoned and having appeared before the Ruidoso Downs @D.A.A. Board of Stewards on August 25, 2024, waived his right to a 10-day notice and a formal hearing, for whipping #5 "Enchiloso" in the post parade prior to the running of the 3rd Race on August 24, 2024, at Ruidoso Downs @D.A.A.

The Board of Stewards hereby issue the following penalty:

1. A fine of Two Hundred Dollars (\$200.00) which must be paid on or before September 8, 2024, in accordance with 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time shall result in immediate suspension. Pursuant to Rule 15.2.1.9 (A)(7)(f) All fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

Licensee is found to be in violation of NMAC:

15.2.5.13 (D)(8) 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 NMAC:

15.2.1.9(A)(4)(a) Notice

15.2.1.9 (A)(4)(c) Last Known Address

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

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 September 4, 2024.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-104**
Track Ruidoso Downs
Ruling Date: 8/25/2024

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

By Order of The Ruidoso Downs Stewards

DRH

Gregory Walker

Robert Smith



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-105**
Track: Ruidoso Downs
Ruling Date: 8/30/2024

Licensee: RUIZ, JORGE INDALECIO
License Type: 2023 1 Year Owner Applicant Id: 157737
License Number: 310712

Ruling # 2024-RUI-105

Action Type: Initial Ruling

Ruling:

Owner, Jorge Ruiz is hereby summarily suspended, effective immediately, August 30, 2024, pending the outcome of criminal charges related to participating in an illegal betting operation that was filed by the New Mexico Gaming Control Board. Mr. Jorge Ruiz's summary suspension hearing is scheduled for Friday, September 6th, 2024 at 8:30 A.M. in the office of the Board of Stewards at Ruidoso Downs Racetrack (at DAA) (108 California, Albuquerque NM 87108), per 15.2.1.9 (B)(3)(b) Summary Suspension.

NMAC 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license: (1) 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:

(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;

In accordance with 15.2.1.9 (C)(21), Jorge Ruiz 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 Jorge Ruiz 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 Jorge Ruiz 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 NMAC:

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.

15.2.1.9 (A)(4)(a) Notice





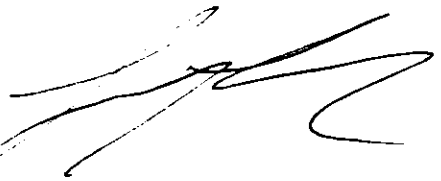
New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-105**
Track: Ruidoso Downs
Ruling Date: 8/30/2024

Licensee: RUIZ, JORGE INDALECIO

License Type: 2023 1 Year Owner Applicant Id: 157737
License Number: 310712

15.2.1.9 (A)(4)© Last Known Address
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
15.2.6.9 NMAC. Penalty Recommendations
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 in.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-106**
Track: Ruidoso Downs
Ruling Date: 8/30/2024

Licensee: ITURRALDE, LUIS DANIEL
License Type: 2023 3 Year Trainer Applicant Id: 33065
License Number: 307714

Ruling # 2024-RUI-106

Action Type: Initial Ruling

Ruling:

Owner/Trainer, Luis Iturralde is hereby summarily suspended, effective immediately, August 30, 2024, pending the outcome of criminal charges related to participating in an illegal betting operation that was filed by the New Mexico Gaming Control Board. Mr. Luis Iturralde's summary suspension hearing is scheduled for Friday, September 6th, 2024, at 8:15 A.M. in the office of the Board of Stewards at Ruidoso Downs Racetrack (at DAA) (108 California, Albuquerque NM 87108), per 15.2.1.9 (B)(3)(b) Summary Suspension.

NMAC 16.47.1.8 (L)(1)(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license: (1) 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:

(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;

In accordance with 15.2.1.9 (C)(21), Luis Iturralde 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 Luis Iturralde 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 Luis Iturralde 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 NMAC:

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.

15.2.1.9 (A)(a) Notice

15.2.1.9 (A)(4)(c) Last Known Address



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-106**
Track: Ruidoso Downs
Ruling Date: 8/30/2024

Licensee: ITURRALDE, LUIS DANIEL

License Type: 2023 3 Year Trainer Applicant Id: 33065
License Number: 307714

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
15.2.6.9 NMAC. Penalty Recommendations
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 in.

By Order of The Ruidoso Downs Stewards

Geoffrey Wright *TD RA*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-107**
Track: Ruidoso Downs
Ruling Date: 8/31/2024

Licensee: ENRIQUEZ, JOSE LUIS

License Type: 2023 3 Year Jockey Applicant Id: 86484
License Number: 309500

Ruling # 2024-RUI-107

Action Type: Initial Ruling

Ruling:

Jockey, Jose Enriquez, having been summoned and having appeared before the Ruidoso Downs at DAA Board of Stewards, on August 31, 2024, for careless riding during the running of the 2ND race on August 25, 2024, at Ruidoso Downs at DAA while aboard # 2 "Tun Tun Csj" who bore in sharply away from the gate impeding #1 who had to check hard and costing an opportunity of a better placing thus resulting in the disqualification of his mount from 3rd to 4th place.

For this violation, the Board of Stewards issued the following penalty:

A 7-calendar day suspension, beginning on September 7, 2024, through September 13, 2024.

Mr. Jose Enriquez may ride designated races.

16.47.1.12 (G)(4)(a) Jockey Suspensions and Designated Races.

16.47.1.12 (G)(5)(a)(b)

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."

15.2.5.13 (E)(3)(b) The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

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."

15.2.5.13 (E)(4)(a) Disqualification: When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last.

This ruling is written in accordance with:

15.2.1.9(A)(4)(c) Last Known Address

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-107**
Track: Ruidoso Downs
Ruling Date: 8/31/2024

Licensee: ENRIQUEZ, JOSE LUIS

License Type: 2023 3 Year Jockey Applicant Id: 86484
License Number: 309500

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 cash, a cashier's check, or money order." The last day to file an appeal is September 10, 2024.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-108**
Track: Ruidoso Downs
Ruling Date: 8/31/2024

Licensee: VILLANUEVA, JUAN CARLOS
License Type: 2023 1 Year Jockey Applicant Id: 34058
License Number: 309648

Ruling # 2024-RUI-108

Action Type: Initial Ruling

Ruling:

Jockey Jaun Carlos Villanueva is hereby summarily suspended, effective immediately August 31, 2024, after he failed a drug (urine) test on August 31, 2024, and having possession of drug paraphernalia in his vehicle while on the grounds at Ruidoso Downs at DAA. Juan Carlos Villanueva is suspended pending the outcome of his summary suspension hearing scheduled on September 7, 2024, at 9:00 A.M. in the offices of the Board of Stewards at (108 California Rd. Alburquerque, NM 87108) per 15.2.1.9 (B)(3)(b) (Summary Suspension). During said time of applicable suspension, Juan Carlos Villanueva 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 and this ruling is written in accordance with:

15.2.1.9(A)(3)(b) Proceedings Before The Stewards: 15.2.3.8 B.(1)(2)(f) 16.47.1.8(E) Consent To Search And Seizure 16.47.1.8(N) Changes In Application Information 15.2.2.8(V)(1) EJECTION AND EXCLUSION 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.

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.16.47.1.8(E) Consent to search and seizure 16.47.1.17 (B)(5)(7) 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 exclusion order of the commission or stewards and notify the commission of the ejection.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-108**
Track Ruidoso Downs
Ruling Date: 8/31/2024

Licensee: VILLANUEVA, JUAN CARLOS

License Type: 2023 1 Year Jockey Applicant Id: 34058
License Number: 309648

Gregory W. Wark *Direct Action* *DZL*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-109**
Track: Ruidoso Downs
Ruling Date: 9/1/2024

Licensee: SIGALA, ALFREDO S.

License Type: 2021 3 Year Jockey Applicant Id: 158216
License Number: 303357

Ruling # 2024-RUI-109

Action Type: Initial Ruling

Ruling:

Jockey, Alfredo Sigala, having been summoned and having appeared before the Ruidoso Downs at DAA Board of Stewards, on September 1, 2024, for careless riding during the running of the 7th race on August 31, 2024, at Ruidoso Downs at DAA while aboard # 8 "Really Handsome Man" who drifted out into the path of #9 causing him to check, alter course and the opportunity of a better placing thus resulting in the disqualification of his mount from 7th to 8th place.

For this violation, the Board of Stewards issued the following penalty:

A 7-calendar day suspension, beginning on September 8, 2024, through September 14, 2024.

Mr. Alfredo Sigala may ride designated races.

16.47.1.12 (G)(4)(a) Jockey Suspensions and Designated Races.

16.47.1.12 (G)(5)(a)(b)

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."

15.2.5.13 (E)(3)(b) The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

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."

15.2.5.13 (E)(4)(a) Disqualification: When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last.

This ruling is written in accordance with:

15.2.1.9(A)(4)(c) Last Known Address

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-109**
Track: Ruidoso Downs
Ruling Date: 9/1/2024

Licensee: SIGALA, ALFREDO S.

License Type: 2021 3 Year Jockey Applicant Id: 158216
License Number: 303357

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 cash, a cashier's check, or money order." The last day to file an appeal is September 11, 2024.

By Order of The Ruidoso Downs Stewards

DR *David A. ...* *Jeffrey WatG*



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-110**
Track: Ruidoso Downs
Ruling Date: 9/2/2024

Licensee: CRUZ-JAIME, ROMAN ANTONIO

License Type: 2022 3 Year Jockey Applicant Id: 164779
License Number: 306035

Ruling # 2024-RUI-110

Action Type: Initial Ruling

Ruling:

Jockey, Roman Cruz, having been summoned and having responded by telephone to the Ruidoso Downs at DAA Board of Stewards, on September 2, 2024, for careless riding during the running of the 11th race on August 31, 2024, at Ruidoso Downs at DAA while aboard # 6 "O Donovan Rossa" who drifted inside costing #5 an opportunity of a better placing thus resulting in the disqualification of his mount from 2nd to 8th place.

For this violation, the Board of Stewards issued the following penalty:

A 7-calendar day suspension, beginning on September 11, 2024, through September 17, 2024.

Mr. Roman Cruz may ride designated races.

16.47.1.12 (G)(4)(a) Jockey Suspensions and Designated Races.

16.47.1.12 (G)(5)(a)(b)

16.47.1.12 (G)(5)(c) The jockey agrees that if they participate in one or more designated races in any other jurisdiction while under suspension in New Mexico, the day will still not be recognized as a suspension day and the jockey will serve an additional race day of suspension in place of the race day on which the jockey rides in a designated race, to be served on the next race day.

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."

15.2.5.13 (E)(3)(b) The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

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."

15.2.5.13 (E)(4)(a) Disqualification: When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last.

This ruling is written in accordance with:

15.2.1.9(A)(4)(c) Last Known Address

15.2.3.8 B (3)(f) Stewards Disciplinary Action



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-110**
Track: Ruidoso Downs
Ruling Date: 9/2/2024

Licensee: CRUZ-JAIME, ROMAN ANTONIO
License Type: 2022 3 Year Jockey Applicant Id: 164779
License Number: 306035

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

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 cash, a cashier's check, or money order." The last day to file an appeal is September 12, 2024.

By Order of The Ruidoso Downs Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-111**
Track: Ruidoso Downs
Ruling Date: 9/5/2024

Licensee: RAMIREZ, ESGAR

License Type: 2023 3 Year Jockey Applicant Id: 12647
License Number: 307759

Ruling # 2024-RUI-111

Action Type: Initial Ruling

Ruling:

Jockey, Esgar Ramirez, having been properly summoned and having appeared before the New Mexico State Fair at DAA Board of Stewards, on September 5, 2024, for careless riding during the running of the 1st race on September 1, 2024, at Ruidoso Downs at DAA while aboard # 4 "Nadir" who veered out sharply impeding #5 & #6 and costing both horses an opportunity of a better placing thus resulting in the disqualification of his mount from 3rd to 6th place.

For this violation, the Board of Stewards issued the following penalty:

A 7-calendar day suspension, beginning on September 13, 2024, through September 19, 2024.

Mr. Esgar Ramirez may ride designated races.

16.47.1.12 (G)(4)(a) Jockey Suspensions and Designated Races.

16.47.1.12 (G)(5)(a)(b)

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."

15.2.5.13 (E)(3)(b) The offending horse may be disqualified, if in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful or the result of careless riding.

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."

15.2.5.13 (E)(4)(a) Disqualification: When the stewards determine that a horse shall be disqualified for interference, they may place the offending horse behind such horse as in their judgment it interfered with, or they may place it last.

This ruling is written in accordance with:

15.2.1.9(A)(4)(c) Last Known Address

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



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-RUI-111**
Track: Ruidoso Downs
Ruling Date: 9/5/2024

Licensee: RAMIREZ, ESGAR

License Type: 2023 3 Year Jockey Applicant Id: 12647
License Number: 307759

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 cash, a cashier's check, or money order." The last day to file an appeal is September 15, 2024.

By Order of The Ruidoso Downs Stewards