

# BEFORE THE HORSE RACING BOARD

## STATE OF CALIFORNIA

In the Matter of:

**Appeal of the Board of Stewards Official  
Ruling # 24, Oak Tree Racing Association,  
dated October 14, 2006**

Case No. SAC 06-0072

**DAVID FLORES**  
**Appellant**

### DECISION AFTER NONADOPT

This matter was originally heard by the Board of Stewards on October 14, 2006. On the same day, the Board of Stewards issued Official Ruling #24 which suspended appellant David Flores for three (3) racing days for violation of California Horse Racing Board Rule #1699 (Riding Rules-Careless Riding).

Appellant, through counsel, filed a timely appeal of Official Ruling #24. The suspension has been stayed pending resolution of this appeal.

Steffan Imhoff, Referee designated under Rule 1414 by the California Horse Racing Board heard, this appeal in Arcadia, California on October 25, 2006.

Attorney Roger Licht represented David Flores, appellant.

Steward George Slender represented the California Horse Racing Board (CHRB).

Evidence was received, the record was closed and the matter was submitted for decision on October 25, 2006. A Proposed Decision issued on November 24, 2006.

By Order dated January 24, 2007, the CHRB rejected the Proposed Decision and elected itself to decide the matter upon the record, including the transcript, under the provisions of Government Code section 11517, subdivision (c)(2)(E). The Appellant was notified of the nonadopt on January 26, 2007, and on February 1, 2007 the administrative record, including a transcript of the proceedings was received and made available to the Appellant.

Appellant presented a written argument as authorized in the CHRB's January 24, 2007, Notice of Decision Not to Adopt Proposed Decision.

The CHRB has reviewed the matter on the record and issues its Decision in the matter as follows:

The attached Proposed Decision of the Referee is hereby adopted by the California Horse Racing Board as its Decision in the above-entitled matter.

The Decision shall become effective on March 29, 2007.

IT IS SO ORDERED ON March 22, 2007.

#### Certification of Board Action

I hereby certify that by unanimous vote, the California Horse Racing Board did on March 22, 2007, vote, as authorized by Government Code section 11526, to issue its findings and conclusions, and issue its Decision After Nonadopt in *In the Matter of: Appeal of the Board of Stewards Official Ruling #24, Oak Tree Racing Association, dated October 14, 2006, David Flores, Appellant, Case No. SAC 06-0072, as set forth above.*

CALIFORNIA HORSE RACING BOARD

Richard B. Shapiro, Chairman

By: \_\_\_\_\_  
Ingrid Fermin  
Executive Director