

STATE OF COLORADO
SECRETARY OF STATE
1700 BROADWAY #550
DENVER, CO 80290

BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE,
ADMINISTRATIVE HEARING OFFICER

AHO Case No. 2025 AHO 35 CPF
ED Case Nos. 2025-88, 2025-89, 2025-90, 2025-91

In the Matter of

ELECTIONS DIVISION OF THE SECRETARY OF STATE,

Complainant,

vs.

CLARK CALLAHAN FOR DCSD, KYRZIAPARKER4DCSD, TONYRYAN4DCSC [sic],
and, KELLY DENZLER FOR DCSD,

Respondents.

**MOTION TO DISMISS FOR LACK OF JURISDICTION DUE TO A VIOLATION OF
C.R.S. § 1-45-111.7(6)(a)**

Clark Callahan for DCSD, KyrziaParker4DCSD, TonyRyan4DCSD, and Kelly Denzler for DCSD (“Respondents”), through candidates, respectfully request that the Hearing Officer dismiss this matter due to a lack of jurisdiction for violation of C.R.S. § 1-45-111.7(6)(a). In support, Respondents state:

BACKGROUND

1. Respondents did not intend to delay or avoid participation in this matter.
2. Respondents prepared a response that was signed and dated in December in good faith and with the understanding that additional procedural guidance or clarification would follow. Neither the First Amended Complaint nor any accompanying communication expressly stated that a response was required or identified a deadline for doing so. In the absence of such notice, and while awaiting further direction from the Division or the Administrative Hearing Officer, Respondents reasonably believed that no immediate filing was required.

3. Upon review of applicable statutes governing the present action, Respondents discovered that jurisdiction may not be proper.
4. The Division filed the present action through a Complaint on December 10, 2025. The Division filed a First Amended complaint on December 12, 2025, in response to a Minute Order Re: Claim Three of the Complaint from the Hearing Officer in this matter.
5. January 11, 2026, marked thirty days after the filing of the First Amended Complaint on December 12, 2025.
6. On January 27, 2026, the Hearing Officer in this matter issued a Scheduling Order setting a hearing for February 27, 2026.

ANALYSIS

7. Section 1-45-111.7(6)(a) of the Colorado Revised Statutes requires that for “[a]ny hearing conducted by a hearing officer under this section . . . a hearing officer *shall* schedule a hearing within thirty days of the filing of the complaint . . .” (emphasis added).
8. The amended complaint in this matter was filed on December 12, 2025. Thirty days after that date would have been January 11, 2026. However, the Hearing Officer in this matter failed to schedule a hearing on the complaint until January 27, 2026: 16 days after C.R.S. § 1-45-111.7(6)(a) requires a hearing to be set.
9. As a result, jurisdiction over the present matter lapsed on January 11, 2026, due to a failure to schedule a hearing within the applicable time period.

CONCLUSION

WHEREFORE, Respondents respectfully request that the Hearing Officer dismiss the present action for lack of jurisdiction due to a violation of C.R.S. § 1-45-111.7(6)(a).

Respectfully submitted this 30th day of January, 2026.

Clark Callahan for DCSD
/s/ Clark Callahan
Clark Callahan, Registered Agent

KyrziaParker4DCSD
/s/ Kyrzia Parker
Kyrzia Parker, Registered Agent

Kelly Denzler for DCSD
/s/ Kelly Denzler
Kelly Denzler, Registered Agent

TonyRyan4DCSD
/s/ Anthony Ryan
Anthony Ryan, Candidate

CERTIFICATE OF SERVICE

This is to certify that I will cause the foregoing to be served on January 30, 2026, by email, addressed as follows:

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/s/ Anthony Ryan