

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.

REPLY TO OPPOSITION TO MOTION TO DISMISS

Respondents respectfully persist in the request that the Hearing Officer dismiss this action due to its violation of C.R.S. § 1-45-111.7(6)(a), one of the “campaign laws” of the state of Colorado. In support, Respondents state in response to the Division’s arguments articulated in its Opposition to Motion to Dismiss:

1. Respondents do not dispute the Division’s recitation of the holding in *Elections Div. v. Colin Larson*, 2023 AHO 0003, Order (Dec. 27, 2023). Respondents assert that that decision was issued in contravention of the dictates of C.R.S. § 1-45-102 cited by this Hearing Officer as favorable to the denial of the motion to dismiss there. What the Hearing Officer failed to address in the *Larson* decision is that C.R.S. § 1-45-102 is the legislative declaration which precedes the statute that the Hearing Officer violated in the present instance: § 1-45-111.7(6)(a). By ignoring that statute’s mandate that the Hearing Officer “shall schedule a hearing within thirty days of the filing of the complaint,” the Hearing Officer also ignored the language that it found supportive of the result that “the interests of the public are best served by . . . strong enforcement of campaign laws.”
2. Respondent candidates are members of the public. The mandate in C.R.S. § 1-45-111.7(6)(a) sets a time limit in order to allow those members of the public who are accused of violations of campaign finance laws to move forward without fear of

prosecution when the decisionmaker in charge of enforcing those laws chooses not to go forward with a hearing within the specified time in statute. The Hearing Officer's decision to forgo setting a hearing within the statutorily specified time period allowed Respondents to believe that the claims filed by the Division were no longer being pursued. This belief was bolstered by the fact that one of the Respondents had left a voicemail for Division counsel on December 17 after speaking to him earlier that morning to discuss settlement of this matter. Division counsel failed to respond to that voicemail and the individual Division counsel had told the Respondent to contact about settlement previously that day indicated that the Division was "unable" to negotiate before discovery was opened in the case. This individual indicated that Respondents would not be able to answer questions that were not formally submitted by Division counsel despite the fact that Division counsel directed respondents to speak with him for settlement.

3. The Division did not seek to have the Hearing Officer set the hearing in this matter in compliance with C.R.S. § 1-45-111.7(6)(a) despite Respondents' attempts to contact multiple members of the Division prior to the Hearing Officer's eventual late setting of the hearing. The Division is complicit in the Hearing Officer's decision to ignore the statutory mandate of § 1-45-111.7(6)(a); a mandate that is reiterated in Rule 24.5.1 8 CCR 1505-6.
4. The sudden revival of the claims by the Hearing Officer more than two weeks after the time period elapsed for the setting of a hearing not only violated the "campaign law" of § 1-45-111.7(6)(a). It rewarded the Division for its failure to communicate or negotiate with Respondents with the added effect of allowing the Division to go forward with its discovery demands that had been all but abandoned prior to the hearing setting.
5. The recitation of the importance of following "campaign laws" for the benefit of the Division sounds discordant when the Division simultaneously argues that it and the Hearing Officer should not be subject to the mandates of those same "campaign laws."
6. Given the actions and choices made by the Division and the Hearing Officer in this matter, it is imperative that the Hearing Officer abide by the importance of the statement it relied upon in deciding *Larson*: "the interests of the public are best served by . . . strong enforcement of campaign laws." Those include laws which bind the Hearing Officer itself.

Respondents therefore assert that the previously filed Motion to Dismiss should be granted in this matter.

Respectfully submitted this 19th day of February, 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 certifies that I caused the foregoing to be served this 19th day of February, 2026, by email addressed as follows:

Peter G. Baumann
Senior Assistant Attorney General, #51620
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 6th Floor
Denver, CO 80203
peter.baumann@coag.gov
Counsel for Complainant

Elizabeth Wagner
10425 Cheetah Winds
Littleton, CO 80124
Lizwagner100@gmail.com
Third-Party Complainant

/s/ Anthony Ryan