
STATE OF COLORADO
SECRETARY OF STATE
Administrative Hearing Office
1700 Broadway, Suite 550
Denver, CO 80290

Case number: 2026 AHO 02 (Notary)

THE SECRETARY OF STATE OF THE STATE OF COLORADO,

Petitioner

v.

GARY PAUL BROWN, NOTARY PUBLIC ID NO. 20224023588,

Respondent

ENTRY OF DEFAULT

THIS MATTER comes before the Court on the Secretary's Motion for Entry of Default Judgment pursuant to § 24-4-105(2)(b), C.R.S. (2025) and Rule 8 of the Office of Administrative Courts' Procedural Rules. **Please note** that the procedural rules applicable to matters under the jurisdiction of the Secretary of State are the *General Policies and Administration Rules* (GPAR), 8 CCR 1505-3. Therefore, I construe the Motion for Entry of Default Judgment to be made pursuant to § 24-4-105(2)(b), C.R.S. and under GPAR Rule 3.6.2.

1. On February 6, 2026, Respondent was duly served with the Notice of Duty to Answer, Notice of Hearing, and Complaint by email and First-Class U.S. mail addressed to him at 906 Fire Rock Place, Colorado Springs, CO 80921. Mashburn Decl., ¶12; Wall Decl., ¶12-3. Respondent confirmed receipt of the Complaint. Ex. 3. On February 9, 2026, Respondent was served with the Scheduling Order requiring an Answer to the Complaint by March 8, 2026 and setting a hearing for 10:00 AM April 3, 2026. Motion, ¶10.

2. On February 24, 2026, Melissa Drazen-Smith, Esq. entered her appearance on behalf of Respondent.

3. On March 12, 2026, the Motion for Entry of Default Judgment and Withdrawal of Claims 1, 2, and 6 was sent to Respondent’s counsel Melissa Drazen-Smith, MDS Legal Consultants, LLC, 8700 E. Jefferson Ave., #371315, Denver, CO 80237 via United States mail, first-class postage prepaid. Sandra Florez Decl. ¶ 2.

4. On March 16, 2026, Respondent filed a pleading (the caption says it is a “Response” but the Certificate of Service claims it is a Motion) to the Motion for Entry of Default. The gist of the pleading is that counsel was engaged in settlement discussions with counsel for the Secretary. No assertions were made, however, that show that any of the requirements for entry of default have not been met.

5. As the matter now stands, the Complaint has never been answered, and thus the facts alleged in the Complaint are deemed to be true. C.R.C.P. 8(d). *Biella v. State Dep’t of Highways*, 652 P.2d 1100, 1102 (Colo.App. 1982). (“The averments in plaintiff’s complaint, not having been denied in responsive pleadings filed before judgment are deemed admitted.”)

6. Respondent Brown has a perfect record of not responding to the Business License Division of the Colorado Secretary of State.

- a. On April 17, 2024, the Division notified Brown of specific provisions of RULONA the Division alleged him to have violated. The notification requested a copy of Mr. Brown’s notarial journal for August 2022. Brown failed to respond. Compl. § 21.
- b. On May 2, 2024, the Division again notified Brown via email of the complaint against him and requested a copy of his notarial journal. Brown failed to respond. Compl. § 22.
- c. On May 22, 2024, the Division again notified Brown, indicating that the next step would be disciplinary action before a hearing officer. Once again. Brown did not respond. Compl. § 23.
- d. On October 28, 2024, the Division sent Brown a Final Disposition Letter announcing an intent to revoke his commission. Brown did not respond. Compl. § 25.
- e. On December 4, 2024, the Division resent the Final Disposition Letter. Again, Brown failed to respond. Compl. § 27.

f. Brown has not answered the Complaint filed before the Administrative Hearing Officer.

7. In addition to being a notary, Respondent is a licensed attorney in the state of Colorado, Reg. No. 57221. That makes his perfect record of not responding to the Business License Division especially hard to understand since part of the oath taken by all lawyers in the state is that “I will treat all persons whom I encounter through my practice of law with fairness, courtesy, respect and honesty.”

<https://www.coloradolegalregulation.com/current-lawyers/oath/> (accessed March 30, 2026).

8. The Court, having reviewed the Motion for Entry of Default Judgement, the record, and being otherwise fully advised in the premises, hereby FINDS, CONCLUDES, AND ORDERS as follows:


9. Petitioner’s Motion for Default Judgment is supported by the March 12, 2026 declarations of Jason Mashburn, Sandra Florez and Shannon Wall as to the service requirements of GPAR § 3.6.2. Further, the Motion moves to withdraw Counts 1, 2 and 6 of the complaint.

10. Entry of Default. Claims 1, 2 and 6 are dismissed without prejudice. Respondent has failed to plead or otherwise defend as to claims 3, 4 and 5 within the time allowed by the rules. **Pursuant to C.R.S. § 24-4-105(2)(b), C.R.C.P. 55 and GPAR Rule 3.6.2, the Default of Respondent on those claims is hereby entered.**

11. The hearing set for April 30, 2026 is vacated. The parties do not need to file prehearing statements as required by GPAR Rule 3.11.3.

12. *Unless Respondent moves to set aside the default within ten days, a Judgment by Default revoking Respondent’s notary commission will be ordered.*

ENTERED this 31st day of March 2026.



Macon Cowles, Hearing Officer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that one true copy of this Entry of Default was sent via email on March 31, 2026 to the following:

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/s/ N. B. Porte

Nathan Borochoff-Porte, Administrative Court Clerk