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December 28th, 2025

Jason A. Marks, Chairman
Board of Ethics & Campaign Practices
1501 First St NW
Albuquerque, NM 87102
Via email: lawoffice@jasonmarks.com (retired attorney)

Charles Llewellyn Davis
Attorney for the Board of Ethics & Campaign Practices
City of Albuquerque Legal Department
PO Box 2248
Albuquerque, NM 87103-2248
Via email: cdavis@cabq.gov

Ethan Watson, City Clerk
Office of the City Clerk
P.O. Box 1293
Albuquerque, NM 87103
Via email: ewatson@cabq.gov

Re: *Response to Jacob Candelaria's Premature Ethics Complaint*
BOE 10-2025

Dear Messrs. Marks and Davis:

The following correspondence is sent on behalf of former City Council District 3 candidate Teresa Garcia in response to the complaint made by Jacob Candelaria on December 15th, 2025, purporting a violation of the City Charter's Election Code, Art. XIII, "Section 14(d)(1)(A) through (C)" which the city clerk identified as Section 4 ("Campaign Financing"). The allegation is that Ms. Garcia failed to disclose campaign-related legal services received while responding to Mr. Candelaria's nominating petition challenge as either an expenditure or an in-kind contribution.

On September 12th, 2025, I did not represent Teresa Garcia at a seven-hour, evidentiary hearing as Mr. Candelaria falsely claimed. I had planned to represent Ms. Garcia in a hearing to resolve the complaint Mr. Candelaria had filed against her in Second Judicial District Court Case No. D-202-CV-2025-07791, challenging her nominating petition signatures. However, prior to the hearing, Mr. Candelaria asked the judge to call Ms. Garcia's case and withdrew his complaint, which took mere minutes. The audio recording of that hearing is a public court record and may be obtained from the district court. His withdraw of the complaint not only shielded him from judicial scrutiny, but waived any legal rights or appeals his clients may have had to pursue.

Instead, Mr. Candelaria attempted to continue to litigate his case against Ms. Garcia in the Albuquerque Journal and on social media in order to further the interests of his chosen candidate—Klarissa Peña. In doing so he employed the same arguments that both the district court and the New Mexico Supreme Court found wanting in cases he filed against Councilor-Elect Stephanie Telles. The instant ethics complaint should be viewed and judged in light of the waning credibility of Mr. Candelaria's prior complaints and statements. As much as he would like to link the two candidates before the Board, the instant complaint is also completely unrelated to Mr. Candelaria's unfounded complaints against Stephanie Telles, whose campaign, acts, omissions, legal representation and disclosures are entirely unrelated to those of Ms. Garcia.

With respect to briefing in the Garcia matter, I authored a thirty-page motion to dismiss (or in the alternative, for summary judgment) filed on September 12th, 2025 on behalf of Ms. Garcia, which included ten pages of embedded maps showing the addresses of signatories to the nominating petition. The addition of these maps was necessary because Mr. Candelaria was expected to falsely claim that the voters-signatories in question did not live in District 3. Mr. Candelaria refers to the motion as a fifty-two-page motion before the Board because he included two attachments to the motion in his page count, which consist of a defective return of service on the candidate and an unpublished federal district court opinion. Election pleadings can be deceptively long by page count due to the factual recitations required by procedural rules and not due to case law citations requiring in-depth legal research by an attorney.

AEQNM's legal services were not rendered for free. I am not a contributor to Ms. Garcia's campaign. Nor am I a resident of District 3. I am merely one of a handful of attorneys in Albuquerque who practice election law and could have just as easily been retained by the opposing candidate in District 3. Thus, any legal services Ms. Garcia may have received constitute an expenditure for which I expect to be paid. Due to a recent backlog, I did not bill Ms. Garcia for any of my services and case costs until this month, a bill which I had to amend to include the instant correspondence. Otherwise, Ms. Garcia would not know the amount of her legal services bill for her necessary responses to Mr. Candelaria's continued frivolous complaints. Having received that bill, Ms. Garcia plans to pay it and report the expenditure in due course by January 8th, 2026 as required by the City Charter's Election Code, Section 4. Thus, it appears that Mr. Candelaria's complaint to the Board of Ethics & Campaign Practices is premature.

Teresa Garcia did not receive any legal services from Katy Duhigg. Mr. Candelaria admits his lack of knowledge of Ms. Duhigg's involvement where he states this allegation against Ms. Garcia "upon information and belief," instead of *ipse dixit*. Therefore, Ms. Garcia will not be reporting any expenditures or contributions from Ms. Duhigg.

Please contact me if you have any questions or require anything further. Thank you for your time and consideration of Ms. Garcia's response.

Sincerely,

A handwritten signature in black ink, consisting of the letters 'D' and 'R' followed by a horizontal line.

DAVID Z. RING
Of Counsel

c.c. Cristobal Rocha, Program Administrator (crisobalrocha@cabq.gov)
Teresa Garcia (teresa@teresafordistrict3.com)