

Office of the City Clerk  
P.O. Box 1293  
Albuquerque, NM 87103  
Phone (505) 924-3650  
Fax (505) 924-3660  
[www.cabq.gov/clerk](http://www.cabq.gov/clerk)

**RECEIVED**

By Ethan Watson at 3:23 pm, Dec 19, 2025

State of New Mexico )

) s.s.

County of Bernalillo )

## COMPLAINT FORM

All complaint forms must be submitted by email to [cityclerk@cabq.gov](mailto:cityclerk@cabq.gov)

The Office of the City Clerk does not accept paper submissions.

1. Complainant's Information			
Last Name Ely	First Name Daymon		
Mailing Address 1228 Central Ave. S.W.	City Albuquerque	State NM	Zip Code 87102
Daytime Phone Number (include area code) 505-610-6529	Email Address <a href="mailto:daymon@daymonely.com">daymon@daymonely.com</a>		

2. Respondent's Information			
Last Name UNKNOWN Measure Finance Committee	First Name N/A		
Mailing Address Unknown	City	State	Zip Code
Daytime Phone Number (include area code)	Email Address		

3. If Respondent is a Candidate, the office or position sought

4. Has this complaint been filed with any law enforcement agencies? If so, list all agencies and attach copies of all complaints submitted. Additional pages may be attached to this form if the space provided below is not adequate.

5. Describe in reasonable detail the alleged violation(s). Please specify the Section(s) or Part(s) of the Election Code, Code of Ethics, Open and Ethical Elections Code, or Rules and Regulations of the Board of Ethics or City Clerk that you believe were violated. Please explain how you believe the Election Code, Code of Ethics, Open and Ethical Elections Code, or Rules and Regulations of the Board of Ethics or City Clerk were violated and the underlying facts. Include the date or date range of the alleged violation(s) and any other pertinent information. Continue on next page.

This is the second complaint concerning the same matter - providing sweatshirts to homeless people to be used, without their knowledge, as a campaign tactic.

I do not know who is behind this stunt which took advantage of our most vulnerable citizens - the homeless. The first complaint was intended to start an investigation. This is intended to file a complaint and fine, if identified and appropriate, the "Measure Finance Committee" behind this cruel and shady activity.

The activity complained of violates Article XIII, Section 2(y) of the City Charter which provides:

"Measure Finance Committee" means a political committee or any person or combination of two or more persons acting jointly in aid of or in opposition to the effort of anyone seeking to have their name placed on the ballot for city office, a petition to place a measure on the ballot pursuant to Article III of the Charter, voter approval of or disapproval of one or more measures on the ballot and/or the election to, or recall from, office of one or more candidates for office when such person or people have accepted contributions in excess of \$250 or make expenditures in excess of \$250 for any of the purposes listed heretofore."

By way of background, sweatshirts started showing up on homeless people in Albuquerque with the "I [heart emoji] Tim Keller" on the clothing as early voting was starting in Albuquerque for the runoff election.

The previous complaint against Mr. Gessing is incorporated, herein, by reference. Mr. Gessing, based on his television interview, can confirm that the City's Election Code was violated.

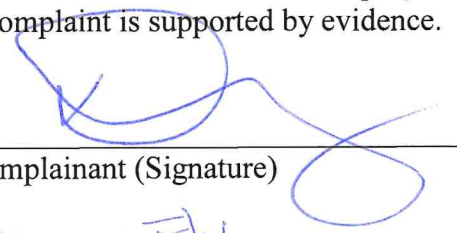
Additional space for details from #5.

6. List and attach evidence that supports your allegations, including but not limited to:
  - a. The names/telephone numbers of persons whom you believe may be witnesses to the facts;
  - b. A copy or picture of any political advertisement(s) Complainant references;
  - c. A copy of each document the Complainant references; and
  - d. Any other evidence supporting your allegations.

Please see the December 2, 2025 television interview with Mr. Gessing. A link to that interview along with quotes from the same were previously provided.



I, \_\_\_\_\_, hereby swear and affirm under penalty of perjury that, to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this Complaint is supported by evidence.

  
\_\_\_\_\_  
Complainant (Signature)

Daymon Fly  
\_\_\_\_\_  
Print or type name of Complainant

Sworn or affirmed before me, the undersigned authority by Darlene Doyle this  
19th day of December 2025.

  
\_\_\_\_\_  
Notary Public

