



Office of the City Clerk

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Ethan Watson, City Clerk

December 22, 2025

SENT VIA EMAIL ONLY

Daymon Ely
1228 Central Ave SW
Albuquerque, NM 87102
daymon@daymonely.com

Re: *BOE 11-2025 Ely v. Unknown MFC*

Dear Mr. Ely,

On December 19, 2025, you filed a complaint with our office against an unknown measure finance committee. As is required by the *Rules by the Board of Ethics & Campaign Practices for the Election Code, the Open and Ethical Election Code, and the Code of Ethics of the City Charter*, my office has reviewed the complaint for facial sufficiency. I am writing to provide you with the results of our review.

The complainant alleges that an expenditure exceeding \$250 was made for election-related messaging without the required registration of a Measure Finance Committee, and cites Article XIII, Sec. 2(y) of the City of Albuquerque Charter, which defines a Measure Finance Committee as any person or entity making such expenditures.

Having thoroughly reviewed the complaint for facial sufficiency in accordance with the Rules, we have determined that the complaint is not facially sufficient. Under the Rules of the Board of Ethics and Campaign Practices, §§ 5(A)(3) and 5(A)(3)(d), "*A complaint shall be considered facially sufficient if the complaint contains the following: ... Respondent's name, address, and telephone number.*" The complaint submitted in this matter does not identify the respondent's name, address, or telephone number. Because it lacks these mandatory elements, the complaint is facially incomplete. Therefore, we are not referring your complaint to the Board of Ethics and Campaign Practices.

However, in light of the unique circumstances surrounding the alleged violations in this complaint and given their similarity to the allegations raised in BOE 08-2025, this matter will be referred to the Board of Ethics as an action item. The purpose of the referral is to request the Board's consideration of the appropriate procedural approach for addressing the two related complaints.

You may file a new complaint or appeal this decision within 5 days to the Board of Ethics and Campaign Practices pursuant to the Board's Rules.

Sincerely,



Ethan Watson
Albuquerque City Clerk

Cc: Jason Marks, Chair, Board of Ethics & Campaign Practices
Chris Peck, Deputy City Clerk
Charles Davis, Board of Ethics Attorney
Cristobal Rocha, Program Administrator