

<p>STATE OF COLORADO SECRETARY OF STATE ADMINISTRATIVE HEARING OFFICER 1700 Broadway #550 Denver, CO 80290</p> <hr/> <p>BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE, <i>in re</i> ED 2023-33, 2023-36</p> <p>ELECTIONS DIVISION OF THE SECRETARY OF STATE,</p> <p>Complainant,</p> <p>vs.</p> <p>KWAME SPEARMAN FOR DPS,</p> <p>Respondent.</p>	<p>▲ COURT USE ONLY ▲</p> <hr/> <p>CASE NUMBER</p> <p>2024 AHO 0011</p>
<p>MOTION TO RE-SET HEARING</p>	

The Elections Division of the Secretary of State’s Office respectfully requests that the hearing in this matter, currently set for Wednesday, July 17, 2024, be re-set for a time in August 2024. As good cause, the Division states:

1. This case was originally set to proceed to a hearing on May 21, 2024. Shortly before the hearing, the parties reached an agreement in principle to resolve the case, and the hearing was continued.

2. The parties were unable to reach a final agreement, however, and the Division asked the Hearing Officer to re-set the hearing.

3. Undersigned counsel, who is counsel of record for the Division in these proceedings, was out of the office on Parental Leave for the month of June.

4. While undersigned counsel was out of the office, the hearing in this matter was set for July 17, 2024.

5. Undersigned counsel, who is counsel of record for the Division in these proceedings, is unavailable on July 17, as he will be in a two-week trial in U.S. District Court for the District of Colorado that runs from July 15 through July 26. The only other counsel to have appeared in this case for the Division is also in the same trial during this period.

6. Undersigned counsel deeply regrets the error in setting the hearing for July 17 while he was on extended leave.

7. Accordingly, the Division respectfully requests that the hearing be re-set for a date of the Hearing Officer's convenience in August 2024.

8. The Division has conferred with Respondent in this matter, and Respondent does not oppose this request.

Accordingly, the Division respectfully requests an order vacating the hearing in this matter set for July 17, 2024, and ordering that the hearing be re-set for a date of the Hearing Officer's convenience in August.

Respectfully submitted this 11th day of July, 2024.

PHILIP J. WEISER
Attorney General

/s/ Peter G. Baumann

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CERTIFICATE OF SERVICE

This is to certify that I will cause the within filing to be served by email and/or email this 11th day of July 2024, addressed as follows:

Kwame Spearman for DPS
C/O Registered Agent Kwame Spearman
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Respondent

/s/ Peter G. Baumann