

STATE OF COLORADO
SECRETARY OF STATE
1700 BROADWAY #550
DENVER, COLORADO 80290

BEFORE THE SECRETARY OF STATE, COLORADO DEPARTMENT OF STATE,
ADMINISTRATIVE HEARING OFFICER

AHO Case No. _____

ED Case No. 2024-83

In the Matter of

ELECTIONS DIVISION OF THE SECRETARY OF STATE,

Complainant,

vs.

COREY MARSHALL and MARSHALL 4 GILPIN,

Respondents.

COMPLAINT

Pursuant to § 1-45-111.7, C.R.S. (2024), the Elections Division of the Secretary of State files this complaint against Corey Marshall and Marshall 4 Gilpin (the “Committee”) (collectively, “Respondents”).

BACKGROUND

1. To provide voters with information about the sources of election-related communications and expenditures, Colorado law requires candidate committees to report their campaign expenditures and include “paid for by” disclaimers on their communications. Those disclaimers must identify the person paying for the communication and, for candidate committees, the name of the committee’s registered agent.

2. Here, the Committee failed to timely report over \$2,600 worth of expenditures, and failed to include compliant disclaimers on over \$7,300 worth of electioneering communications.

3. Accordingly, the Elections Division brings this action for appropriate relief.

PARTIES

4. Complainant is the Elections Division (“Division”) of the Colorado Secretary of State.

5. Respondents are Marshall 4 Gilpin, a candidate committee registered with the Colorado Secretary of State, ID # 20245047106, and Corey Marshall, who is responsible under law for any penalties imposed on Marshall 4 Gilpin. Colo. Const. art. XXVIII, § 10(1).

JURISDICTION AND VENUE

6. The Division has jurisdiction under § 1-45-111.7.

7. The Division files this complaint with a hearing officer consistent with § 1-45-111.7(5)(a)(IV).

8. This complaint is timely filed within thirty days of the Division’s May 8, 2025, Notice of Investigation, according to § 1-45-111.7(5)(a)(IV).

9. Venue is proper before the hearing officer under § 1-45-111.7(5).

ALLEGATIONS

10. In 2024, Corey Marshall ran for County Commissioner in Gilpin County. The candidate committee formed to support his candidacy was Marshall 4 Gilpin.

11. Marshall appeared on both the June 25, 2025, Republican Primary ballot in Gilpin County, and on the November 5, 2024, General Election ballot in Gilpin County.

12. On October 18, 2024, the Division received a campaign finance complaint filed against Corey Marshall by Cecilia Wilson. The Wilson Complaint alleged that Marshall had failed to include “paid for by” disclaimers on campaign signs.

13. The Wilson Complaint included photos of signs that lacked a disclaimer.



14. The Division notified the Committee of the Wilson Complaint the same day.

15. During its review and investigation of the Wilson Complaint, the Division reviewed publicly available information about the Committee's campaign communications. The Division also corresponded with the Committee.

16. Based on its investigation, the Division determined that the Committee had distributed \$7,310 worth of electioneering communications that lacked complaint disclaimer statements.

17. This included Yard signs, parade signs and banners, flyers, banners, display advertisements, postcards, cornhole decals, tee-shirts, and a campaign website.

18. Some, but not all, of these communications included a "paid for by" disclaimer, but failed to identify the Committee's registered agent.

19. Others included no "paid for by" disclaimer at all.

20. In total, the Committee distributed \$4,199 worth of electioneering communications that included no disclaimer statement at all, and \$3,111 worth of electioneering communications that included the disclaimer: "Paid for by Marshall 4 Gilpin," but failed to identify the Committee's registered agent.

21. During its review and investigation of the Complaint, the Division also reviewed the Committee’s Reports of Contributions and Expenditures on TRACER.

22. Based on its review, the Division concluded that the Committee had failed to disclose two expenditures for display advertisements on the online websites of two local news publications.

23. In total, the Committee spent \$2,663 on these display advertisements. These expenditures occurred in 2024—ranging from June 2024 through October 2024—but were not reported until May 2025; well after the November 2024 election.

24. Based on its investigation, the Division concluded that there was a dispute with one of the publications concerning the appropriate amount of one of these expenditures, but that dispute was resolved prior to the date of the Committee’s December 10, 2024, report of contributions and expenditures.

25. Nothing in the Division’s investigation suggested an intent to mislead the electorate.

COLORADO CAMPAIGN FINANCE LAW

26. Under Colorado law, candidate committees “shall report to the appropriate officer their . . . expenditures made.” § 1-45-108(1)(a)(I), C.R.S. (2024).

27. Colorado law also requires “any person who expends one thousand dollars or more per calendar year on electioneering communications” to “in accordance with the requirements specified in section 1-45-107.5(5), state in the communication the name of the person making the communication.” § 1-45-108.3(3), C.R.S.

28. Under section 1-45-107.5(5), the disclaimer must say that “the communication has been ‘paid for by (full name of the person paying for the communication)’” and also identify “a natural person who is the registered agent if the person [paying for the communication] is not a natural person.” § 1-45-107.5(5), C.R.S.

CLAIM ONE
FAILURE TO REPORT EXPDITURES
(§ 1-45-108(1)(a)(I), C.R.S. (2024))

29. All preceding allegations are incorporated.

30. Beginning in June 2024, the Committee ran display advertisements in the online version of the Register Call newspaper. These ads ran through October 2024.

31. In September and October 2024, the Committee also ran display advertisements in the online version of the Mountain Ear newspaper.

32. In total, the Committee spent \$2,663 on these display advertisements.

33. These expenditures occurred, at the latest, by December 10, 2024. However, they were not reported until May 2025.

34. The Division is entitled to relief under Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act, § 1-45-101 et seq.

CLAIM TWO
FAILURE TO INCLUDE COMPLIANT DISCLAIMER
(§ 1-45-108.3(3), C.R.S. (2024))

35. All preceding allegations are incorporated.

36. During the 2024 election cycle, the Committee distributed \$7,310 worth of electioneering communications without compliant disclaimer statements.

37. The Committee distributed \$4,199 worth of electioneering communications that did not include a “paid for by” disclaimer.

38. The Committee distributed \$3,111 worth of electioneering communications that included a “paid for by” disclaimer, but did not identify the Committee’s registered agent.

39. These communications were distributed during the electioneering windows for the 2024 primary and general elections, mentioned Corey Marshall by name, and were

distributed to members of the electorate for the primary and general elections in Gilpin County.

40. The Division is entitled to relief under Article XXVIII of the Colorado Constitution and the Fair Campaign Practices Act, § 1-45-101 et seq.

PRAYER FOR RELIEF

WHEREFORE, the Elections Division prays for judgment and relief as follows:

1. Penalties as set out under 8 CCR 1505-6, Rule 23.4.3.
 - a. Specifically, for Claim I, under 23.4.3(b), the specific fine amount, prior to application of aggravating or mitigating factors, is \$100 per report plus 5% of the activity not accurately reported, or \$233.
 - b. Specifically, for Claim II, under 23.4.3(d), the specific fine amount, prior to application of aggravating or mitigating factors is at least 10 percent of the cost of the noncompliant communications, or \$731.
2. Such other relief as the Hearing Officer may deem appropriate.

Respectfully submitted this 9th day of June, 2025

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 foregoing to be served this 9th day of June, 2025, by email and/or U.S. mail, addressed as follows:

Marshall 4 Gilpin and Corey Marshall
C/O Registered Agent Corey Marshall
70 Rudolph Ranch Rd.
Black Hawk, CO 80422
coreym@marshall4gilpin.com
Respondents

Cecilia Wilson
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Black Hawk, CO 80422
ceciliaawilson@gmail.com
Third-Party Complainant

/s/ Peter G. Baumann