

Appendix I

DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO 1437 Bannock Street Denver, Colorado 80202		DATE FILED May 14, 2026 11:29 AM CASE NUMBER: 2026CV233 ▲ COURT USE ONLY ▲
GABRIEL MONTELONGO, Petitioner;		
v.		
COLORADO DEPARTMENT OF REGULATORY AGENCIES, COLORADO DEPARTMENT OF LAW, & CITY AND COUNTY OF DENVER, Respondents.		Case No: 26CV233 Division: 280
ORDER RE: PETITION FOR ORDER TO SHOW CAUSE OMNIBUS ORDER – REMAINING PENDING MOTIONS		

THIS MATTER is before the Court on Plaintiff, Gabriel Montelongo's Verified Petition for Order to Show Cause. The Court conducted a hearing on April 6, 2026. All Parties were present and participated in the hearing. The Plaintiff served three Defendants. The Colorado Department of Law and Colorado Department of Regulatory Agencies (State Agencies) response was filed March 25, 2026. City and County of Denver (Denver) responded on April 1, 2026. The Court held a hearing with all parties on April 6, 2026. The Court, having reviewed the Petition, Responses, evidence presented at the April 6, 2026 hearing, the April 10, 2026 status report from the State Agencies, the April 20, 2026 response from Denver, Plaintiff's additional rebuttals and motions,¹ and applicable legal authority and being advised in the premises, hereby finds and orders as follows:²

¹ Since the April 6, 2026 hearing Plaintiff has filed the following pleadings: 1) Motion to Compel Identification of State Actors and Disclosure of Roles, Authority, and Capacities (4/8/2026); 2) Motion for Protective Order Establishing a Functional Communication Structure and Designating Primary Points of Contact (4/8/2026); 3) Supplemental Pleading Pursuant to C.R.C.P. 15(d) (4/10/2026); 4) Unified Supplemental Filing: Motion for Judicial Notice, Notice of Procedural Impediments, and Request for Protective Measures (4/13/2026); 5) Motion for Clarification and Protective Order Regarding City Attorney's No-Contact Directive and Resulting Procedural Prejudice (4/15/2026); 6) Plaintiff's Rebuttal to Denver's Response to Court Order of April 6, 2026 (4/20/26); 7) Plaintiff's Motion for Citation to Show Cause Regarding Contempt and for Sanctions (4/20/2026); 8) Plaintiff's Request for Production of Documents Pursuant to C.R.C.P. 34 (4/21/2026); 9) Plaintiff's Motion for Case Management Conference and to Compel Production of Native Metadata (4/21/2026); 10) Verified Motion for Citation to Show Cause Pursuant to C.R.C.P. 107 (4/21/2026); 11) Plaintiff's Motion for Clarification, Protective Order, and Procedural Enforcement (5/7/2026); 12) Motion for Court Order Authorizing Overnight Transcript Delivery and Request for Waiver of Transcription Fees Due to Indigent Status (5/7/26); and 13) Motion for Order to Show Cause, Contempt Citation and Mandatory Injunctive Relief Regarding Structural Procedural Default and Constitutional Vagueness (5/8/26).

² The Court incorporates its findings from the April 6, 2026 hearing. To the extent any findings or conclusions in the ORDER conflict with those on April 6, 2026, the facts and conclusions in this ORDER apply.

Appendix 1

I. BACKGROUND

Plaintiff asserts in his Petition "On January 6, 2026, Petitioner submitted formal Colorado Open Records Act (CORA) requests to DORA, Denver Human Services (DHS), the Denver Police Department (DPD), and the Denver City Attorney's Office." Petition ¶ 11.3, pg. 1. In the Petition, Plaintiff does not indicate when and to whom he sent CORA requests regarding the State Agencies.³ At the hearing on April 6, 2026, Plaintiff asserted he had requested records from the State Agencies on January 6, 2026.

Plaintiff asserted the Denver January 6, 2026 CORA requests sought are:

Colorado Open Records Act Request

Requester:
Gabriel Montelongo
1816 S. Canosa Ct.
Denver CO 80219

This request seeks all records held by the Denver Police Department referencing Gabriel Montelongo, including:

- Incident reports, CAD/dispatch logs, call-for-service records
- Mental health co-response or advocacy records
- Communications referencing Matthew Thompson, Chris Richardson, or Abby Esquivel
- Any records received from or shared with Denver Human Services

Records are requested in electronic form where possible

State Agency 4/10/26 Response Ex. B.

Colorado Open Records Act Request

Requester:
Gabriel Montelongo
1816 S. Canosa Ct.
Denver, CO 80219

This request seeks all records held by Denver Public Safety Communications / 911 referencing Gabriel Montelongo, including:

- Call-for-service records
- Dispatch logs or CAD entries
- Any cross-referenced records shared with Denver Police Department

Records are requested in electronic form where possible.

State Agency 4/10/26 Response Ex. C.

³ In response to the Petition, the State Agencies assert it construed a February 12, 2026 email regarding a complaint he filed with the Department of Regulatory Agencies regarding a Mortgage Lender as a request for records pursuant to CORA; responded on February 17, 2026 the only responsive records were withheld pursuant to C.R.S. § 12-10-713(4); and on February 19, 2026 produced a list of responsive records a corresponding exemption. Exs. A & B to 3/25/26 State Agency Response. Based on information in the Petition, this CORA request is not a part of this matter as it was not a request from January 6, 2026.

Colorado Open Records Act Request

Requester:
Gabriel Montelongo
1816 S. Canosa Ct.
Denver, CO 80219

This request seeks all records held by Denver Human Services referencing Gabriel Montelongo, including but not limited to:

- Service Navigation notes and spreadsheets (including entries by Matthew Thompson)
- Emails, texts, internal messages, and metadata
- Communications with any City and County of Denver entity, including Denver Police Department personnel or mental health advocates
- Any referrals, summaries, or annotations referencing the requester

Records are requested in electronic form where possible.

State Agency 4/10/26 Response Ex. D.

Colorado Open Records Act Request

Requester:
Gabriel Montelongo
1816 S. Canosa Ct.
Denver, CO 80219

This request seeks all records held by the Denver City Attorney's Office referencing Gabriel Montelongo, including:

- Emails or correspondence with Denver Human Services or Denver Police Department
- Internal memoranda or legal notes
- Records created in response to inquiries made by or about the requester

Records are requested in electronic form where possible.

State Agency 4/10/26 Response Ex. E.

The Court notes that none of the Denver CORA requests demonstrate the dates of submission for each CORA request. Based on information at the April 6, 2026 hearing, the Court incorporates any findings and conclusions made during the April 6, 2026 hearing. Some of the findings and conclusions in the April 6, 2026 hearing include the determination that Plaintiff's requests regarding Denver Police and Denver Dispatch/911 records fall within the Colorado Criminal Justice Records Act (CCJRA) and Plaintiff acknowledged that on February 2, 2026 he received an email providing him the internet link for how to request records pursuant to CCJRA and a copy of the "person hardcopy" record summarizing Plaintiff's contact with Denver Police. The Court denied a Show Cause Order regarding the Denver Police and Denver Dispatch/911 records as the requested records fall outside CORA, the basis for Plaintiff's Petition.

The Court also found that upon receipt of the CORA request for Denver Human Services (DHS) records, DHS produced records regarding Plaintiff's "SNAP" benefits and informed Plaintiff consistent with Denver's CORA policies that it held 1,800 responsive email records and it would charge Plaintiff \$372.33 for the search and review of the responsive records. *See* C.R.S. § 24-72-205(6). Plaintiff acknowledged receipt of the DHS response requesting payment and the subsequent February 23, 2026 denial of his request for waiver of fee. Plaintiff has not paid the fee. Therefore, the Court denied Plaintiff's request for a show cause order regarding the DHS records. The Court also notes that during the April 6, 2026 hearing, Plaintiff was asked if he wanted to limit his records search to obtain less records and he declined.

The sole remaining CORA request related to Denver involves the Denver City Attorney's Office. Denver credibly asserted the request to the Denver City Attorney's office was received on

February 24, 2026 and it informed Plaintiff of no responsive records on February 27, 2026. Denver asserted attorney-client privilege regarding the responsive records.

On March 9, 2026, this Petition was filed. Plaintiff served Denver on March 11, 2026. Plaintiff served Division of Professions and Occupations, a part of Department of Regulatory Agencies and the Office of the Attorney General on March 11, 2026. The State Agencies responded on March 26, 2026. Denver responded on April 1, 2026.

The Court held a hearing on April 6, 2026. At the conclusion of the hearing, among other orders, the Court ordered Petitioner to provide a copy of his asserted January 6, 2026 CORA requests to the two State Agencies by April 8, 2026. The Court also ordered Denver to provide a privilege log for the records it identified and the exemptions claims by April 20, 2026. The Court also entered orders regarding the method upon which to provide Plaintiff with further information, pleadings, or records due to Plaintiff being unable to receive U.S. mail at this residence.

On April 10, 2026, the State Agencies provided the Court with a status report demonstrating the CORA requests provided by the Plaintiff for the State Agencies all relate to the Denver entities and it found no CORA requests on January 6, 2026 from Plaintiff.

On April 20, 2026 Denver provided a privilege log with the date, description of the record, and reason for the record being withheld.

II. LEGAL AUTHORITY AND ANALYSIS

A. COLORADO OPEN RECORDS ACT

This action is governed by the Colorado Open Records Act, C.R.S. § 24-72-200.1 *et seq.* ("CORA"). To show that CORA applies, a plaintiff must show that the public entity in question (1) improperly (2) withheld (3) a public record. *Sierra Club v. Billingsley*, 166 P.3d 309, 316 (Colo. App. 2007). All three prongs must be shown, or the act will not apply. *Wick Commc'ns Co. v. Montrose County Bd. of County Comm'rs*, 81 P.3d 360, 363 (Colo. 2003).

Public records are records "made, maintained, or kept" by a political subdivision of the State of Colorado "for use in the exercise of functions required or authorized by law or administrative rule." C.R.S. § 24-72-202(6)(a)(I); *Freedom Newspapers, Inc. v. Denver & Rio Grande W. R.R. Co.*, 731 P.2d 740, 742 (Colo. App. 1986). CORA's legislative declaration provides, "It is declared to be the public policy of this state that all public records shall be open for inspection by any person at reasonable times, except as provided in this part 2 or as otherwise specifically provided by law." C.R.S. § 24-72-201; *Colorado Republican Party v. Benefield*, 337 P.3d 1199, 1205 (Colo. App. 2011) *cert granted* (Colo. 2012); *Freedom Newspapers, Inc. v. Tollefson*, 961 P.2d 1150, 1153-54 (Colo. App. 1998). Thus, the custodian of any public record may deny the right of inspection of a record only if the requested record falls within one of CORA's enumerated exceptions or is excepted by another statute or law. *Benefield*, 337 P.3d at 1205.

The custodian bears the burden of proving that the records fit within one of the specific exemptions from the requirement of disclosure. C.R.S. § 24-72-204; *Denver Publishing Co. v.*

Univ. of Colo., 812 P.2d 682, 685 (Colo. App. 1990). Of note, exceptions to CORA are to be narrowly construed. *Marks v. Koch*, 284 P.3d 118, 121 (Colo. App. 2011) *cert. granted* (Colo. 2012); *Tollefson*, 961 P.2d at 1154.

Here, there is no dispute that the documents are public records. Further, it is not disputed that venue and jurisdiction are proper in this Court. The April 6, 2026 hearing resolved some issues regarding three of the Denver CORA requests. The dispute continues regarding the Denver City Attorney CORA request and whether the State Agencies received CORA requests on January 6, 2026. The Court now addresses the remaining issues following the April 6, 2026 hearing.

B. PRODUCTION OF RECORDS - DENVER

For the remaining CORA request for Denver related to the City Attorney records, Denver asserts attorney work product, attorney client privilege and deliberative process and withheld a series of identified documents. "Such inspection is prohibited by rules promulgated by the supreme court or by the order of any court." C.R.S. § 24-72-204 (1)(c). "Trade secrets, privileged information, and confidential commercial, financial, geological, or geophysical data, including a social security number unless disclosure of the number is required, permitted, or authorized by state or federal law, furnished by or obtained from any person." C.R.S. § 24-72-204(3)(a)(IV).

Upon review of the privilege log produced to the Court on April 20, 2026, the description of the identified and withheld records fall within the attorney-client privilege, attorney work product, and attorney deliberative process that are required to be protected from disclosure pursuant to the rules of professional conduct promulgated by the supreme court and as privileged information.⁴ Therefore, Denver withholding the records complies with C.R.S. §§ 24-72-204 (1)(c) & (3)(a)(IV) and with the timely notice to Plaintiff of the withheld responsive records. The Court concludes Denver complied with the requirements of CORA.

The Court denies Plaintiff's show cause order in its entirety as related the Denver CORA requests.

C. STATE AGENCIES

Based on the information submitted by Plaintiff and the State Agencies, the Court finds that Plaintiff did not submit a CORA request to the State Agencies on January 6, 2026 for records held by the State Agencies. The Court also relies upon the two affidavits provided by the State Agencies in their March 25, 2026 response to the Petition attesting no CORA request was received from Plaintiff on January 6, 2026 by the State Agencies. Therefore, there is no CORA request to the State Agencies. The Court specifically references the factual basis within the Petition and the requests provided to the State Agencies in response to the Court's order at the April 6, 2026 hearing for Plaintiff to provide the State Agencies with this January 6, 2026 CORA request. The four

⁴ The Court noted in a recent response to one of Plaintiff's Motions for Contempt Citation, Denver vaguely references Plaintiff's request for records of Plaintiff's legal identity relates to identity theft. Plaintiff asserted Denver could not limit his request solely to issues involving identity theft. Without context the Court is unable to determine what actions Denver took regarding the records search as it relates to identity theft. However, the Court finds upon review of the privilege log, Denver's identified records relate to more than identity theft.

submitted CORA requests relate solely to records maintained by Denver. Having received no evidence that Plaintiff submitted CORA requests to the State Agencies on January 6 2026, the Court DENIES the Plaintiff's request for a show cause order for the State Agencies.

D. PENDING MOTIONS/PLEADINGS

Since the April 6, 2026 hearing Plaintiff has filed the following pleadings:

1) Motion to Compel Identification of State Actors and Disclosure of Roles, Authority, and Capacities (4/8/2026).

The Court incorporates its findings and conclusions made at the April 6, 2026 hearing. The court notes counsel for the State Agencies and counsel for Denver have identified themselves, identified their clients, and provided their titles and bar registration numbers. The Court also notes that while Plaintiff knows another person named Gina Merino, that does not mean Gina Simonson, with the Colorado Attorney General's Office must demonstrate to Plaintiff's satisfaction that she is a different person than the individual known to Plaintiff. Plaintiff is not entitled to any additional information regarding Ms. Simonson and is not entitled to view Ms. Simonson in person. Although Plaintiff makes additional demands regarding Ms. Simonson's identity, the Court will not address this request any further. The Court DENIES the Motion.

2) Motion for Protective Order Establishing a Functional Communication Structure and Designating Primary Points of Contact (4/8/2026).

Given the rulings in this ORDER, Plaintiff's requests in this Motion are moot. Therefore, the request is DENIED.

3) Supplemental Pleading Pursuant to C.R.C.P. 15(d) (4/10/2026).

Plaintiff's Supplemental pleading appears to attempt to raise new allegations and claims against a number of newly identified and unidentified individuals. The new allegations are not related to whether or not Denver or the State Agencies complied with CORA regarding the assertions in the Petition. While Plaintiff asserts actions related to the process in this matter, they are not allegations regarding the CORA requests in the Petition. Additionally, instead of supplementing the Petition, they are new and are more appropriate for a Motion to Amend the pleadings. Since the Court is resolving the Petition with the ORDER, the Court DENIES supplementing or amending the Petition with unrelated new concerns.

4) Unified Supplemental Filing: Motion for Judicial Notice, Notice of Procedural Impediments, and Request for Protective Measures (4/13/2026).

Plaintiff's pleading contains a number of concerns.

I.A. The Court refers Plaintiff to its April 7, 2026 ORDER denying waiver of the transcript fee.

I.B. The Court refers Plaintiff to its ruling at the April 6, 2026 hearing regarding disqualification of Denver's counsel. The Court continues to conclude no conflict exists regarding Denver legal counsel's representation.

I.C. The Court refers Plaintiff to its ruling at the April 6, 2026 hearing regarding receipt of information in this matter. The Court will continue to email Plaintiff its ORDERS.

I.D. The Court takes no position regarding the conferral process except to note CORA requires the parties to communicate regarding requests and attorneys have provided Plaintiff information regarding whom they represent.

I.E. The Court directs the parties to its prior orders, including but not limited to those at the April 6, 2026 hearing and those stated above in this Order.

I.F. While the Court acknowledges the frustrations of Plaintiff as he attempts to navigate the judicial process, the Court has on several occasions provided Plaintiff with resources to obtain assistance and provided information to Plaintiff during the April 6, 2026 hearing.

II. The Court has addressed all raised concerns in this section in previous orders. The Court reiterates, Plaintiff is welcome in the City and County Building, is welcome to file with the District Court Clerk's office, is welcome to contact Division 280 via email and phone.

Plaintiff's items in the Unified Supplemental Filing are DENIED.

5) Motion for Clarification and Protective Order Regarding City Attorney's No-Contact Directive and Resulting Procedural Prejudice (4/15/2026).

The Court is not involved in any "no contact directive" by counsel for Denver. Therefore, the Court takes no action regarding this Motion.

6) Plaintiff's Rebuttal to Denver's Response to Court Order of April 6, 2026 (4/20/26).

The Court addressed Plaintiff's assertions above and takes no further action on this pleading. The Court reminds Plaintiff he may pay the fee to DHS and obtain the responsive records with applicable redactions.

7) Plaintiff's Motion for Citation to Show Cause Regarding Contempt and for Sanctions (4/20/2026).

Based on the findings above, the Court has found the State Agencies and Denver have complied with the Court's Orders in this matter and therefore, contempt citations and sanctions are not warranted. Motion is DENIED.

8) Plaintiff's Request for Production of Documents Pursuant to C.R.C.P. 34 (4/21/2026).

This matter is not at issue and it is not time for discovery in this matter. Given the Court's rulings above, discovery will not occur in this matter. Motion is DENIED.

9) Plaintiff's Motion for Case Management Conference and to Compel Production of Native Metadata (4/21/2026).

Given the Court's rulings above, a case management conference and discovery will not occur in this matter. Motion is DENIED.

10) Verified Motion for Citation to Show Cause Pursuant to C.R.C.P. 107 (4/21/2026).

Based on the findings above, the Court has found the State Agencies and Denver have complied with the Court's Orders in this matter and therefore, contempt citations and sanctions are not warranted. Motion is DENIED.

11) Plaintiff's Motion for Clarification, Protective Order, and Procedural Enforcement (5/7/2026).

The Court refers Plaintiff to its previous orders contained within this ORDER and previous orders in this matter. As found at the April 6, 2026 hearing, DHS filed its response to the Petition as part of the Denver response on April 1, 2026, therefore, Default is DENIED. Motion is DENIED.

12) Motion for Court Order Authorizing Overnight Transcript Delivery and Request for Waiver of Transcription Fees Due to Indigent Status (5/7/26)

The Court refers Plaintiff to its April 7, 2026 ORDER denying waiver of the transcript fee. Since the Court cannot authorize a fee waiver in this matter, the Court need not address Plaintiff's request for expedited transcript. If Plaintiff pays for his requested transcript, he may request from the Court for an expedited transcript, however, the Court will not be able to order a transcript with a 24 hour turn around.

13) Motion for Order to Show Cause, Contempt Citation and Mandatory Injunctive Relief Regarding Structural Procedural Default and Constitutional Vagueness (May 8, 2026).

Based on the findings above, the Court has found the State Agencies and Denver have complied with the Court's Orders in this matter and therefore, contempt citation and sanctions are not warranted. Motion is DENIED.

III. CONCLUSION

Denver provided responsive records or applicable exemptions for the City Attorney records, provided information on how to request records pursuant to CCJRA for the Denver Police and Denver Dispatch/911 records, and provided Plaintiff with the required fee for the DHS records. The Court concludes Denver's responses met the timeliness requirements in CORA and denies the Show Cause Order.

The State Agencies did not receive any CORA requests on January 6, 2026 and therefore, no responsive records were due and denies the Show Cause Order.

Since there are no outstanding issues, this matter is dismissed.

SO ORDERED this 14th day of May, 2026.

BY THE COURT:

Heidi L. Kutcher

Judge Heidi L. Kutcher
Denver District Judge

Appendix 2

DISTRICT COURT, DENVER COUNTY, COLORADO	
Court Address: 1437 BANNOCK STREET, RM 256, DENVER, CO, 80202	
Plaintiff(s) GABRIEL MONTELONGO v. Defendant(s) TYSON WATERS et al.	DATE FILED May 18, 2026 3:04 PM CASE NUMBER: 2026CV233 △ COURT USE ONLY △ Case Number: 2026CV233 Division: 280 Courtroom:
Order: PLAINTIFF'S NOTICE OF FILING EXHIBITS A AND B IN SUPPORT OF THE RECORD: EVIDENCE OF DEFENDANT'S CONTINUING PROCEDURAL OBSTRUCTION AND ADMINISTRATIVE NON-COMPLIANCE w/attach	

The motion/proposed order attached hereto: NO ACTION TAKEN.

Since this involves criminal records request send to Denver after the verified petition for order to show cause filed on March 9, 2026, the Court takes no action on this pleading.

The Court will not address further pleadings titled "Notice." This matter is closed.

Issue Date: 5/18/2026

Heidi L Kutcher

HEIDI L KUTCHER
District Court Judge

Appendix 2

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO

Court Address: 1437 Bannock St Denver, CO 80202

PLAINTIFF: GABRIEL MONTELONGO,

v.

DEFENDANT: CITY AND COUNTY OF DENVER.

Filer Info:

Gabriel Montelongo, Plaintiff Pro Se

1816 South Canosa Court Denver, CO 80219

Phone: 720.665.1219

Email: gmontelongo@gmail.com

COURT USE ONLY

Case Number: 26CV233

Courtroom: 280

**PLAINTIFF'S NOTICE OF FILING EXHIBITS A AND B IN SUPPORT OF THE RECORD:
EVIDENCE OF DEFENDANT'S CONTINUING PROCEDURAL OBSTRUCTION AND
ADMINISTRATIVE NON-COMPLIANCE**

Plaintiff Gabriel Montelongo, appearing pro se, respectfully submits this Notice of Filing Exhibits A and B to the Court. This filing formally introduces documentary evidence establishing a systematic, ongoing pattern of administrative non-compliance, procedural obstruction, and the maintenance of illusory remedy loops by the Defendant, City and County of Denver.

I. RELEVANT BACKGROUND AND MATRICES OF OBSTRUCTION

1. Plaintiff is currently engaged in active litigation against the Defendant concerning systemic administrative failures, refusals to respond to formal legal process, and ongoing civil rights violations.
2. On May 11, 2026, Plaintiff provided formal electronic notice and a demand for record preservation to Senior Assistant City Attorney Robert N. Lyman. This notice explicitly detailed a pattern of unlawful conduct, including the unauthorized exclusion of citizens from public lands at Ruby Hill Park/Levitt Pavilion (Case T26009434) and an uninvestigated felony residential security breach at 308 North Inca Street (Case T26009439).

3. Despite direct escalation to the Defendant's legal counsel of record, the administrative apparatus of the City and County of Denver continued to systematically reject and obstruct the initiation of official reporting metrics.

4. Specifically, on May 18, 2026, at 2:43 AM, Plaintiff received an automated operational notification from the Denver Police Department's Coplogic reporting interface regarding the previously escalated tracking number T26009439, as well as tracking number T26009442.

5. The Defendant's administrative notification states that the criminal complaints are rejected because the Plaintiff failed to supply a master case number formatted as "26-6xxxxxx".

6. Crucially, the Defendant's own data infrastructure failed to generate, issue, or transmit the necessary master case numbers to the Plaintiff. The administrative architecture of the Denver Police Department has structurally engineered a procedural barrier whereby compliance is precluded by the Defendant's own omissions.

II. LEGAL PURPOSE AND PROBATIVE WEIGHT

1. The enclosed exhibits demonstrate a continuous, unbroken timeline of institutional stonewalling. This evidence establishes that the administrative remedies provided by the City and County of Denver are illusory in practice, serving as a mechanisms to deny the initiation of official records and colorable legal claims.

2. This evidence is formally submitted to the record to preserve electronic metadata, establishing operational bad faith and ongoing injury. It provides the requisite foundational support for subsequent discovery requests pursuant to C.R.C.P. 34 and supplemental pleadings pursuant to C.R.C.P. 15(d).

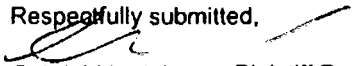
III. AUTHENTICATION OF EXHIBITS

• EXHIBIT A: True and correct copy of the Denver Police Department electronic transmission from CoDenverPd@coplogic.com, dated May 18, 2026, documenting the structural rejection of reporting metrics.

• EXHIBIT B: True and correct copy of the formal Notice of Incident and Record Preservation served directly upon Senior Assistant City Attorney Robert N. Lyman on May 11, 2026, establishing prior notice and institutional non-compliance.

Dated: May 18, 2026

Respectfully submitted,


Gabriel Montelongo, Plaintiff Pro Se

CERTIFICATE OF SERVICE

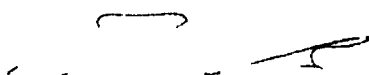
I hereby certify that on this 18th day of May, 2026, a true and correct copy of the foregoing PLAINTIFF'S NOTICE OF FILING EXHIBITS A AND B was served via the Colorado Courts E-Filing system to opposing counsel of record for the Defendant:

Denver City Attorney's Office

Attn: Robert N Lyman, Senior Assistant City Attorney

1437 Bannock St, Room 353 Denver, CO 80202, et al

Respectfully submitted,


Gabriel Montelongo

Appendix 3

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED April 15, 2026
Original Proceeding	
In Re: Petitioner: Gabriel Montelongo, v. Proposed Respondents: Colorado Court of Appeals, Denver District Court, Colorado Commission on Judicial Discipline, Office of the Clerk of Court, and Related State Actors.	Supreme Court Case No: 2026SA115
ORDER OF COURT	

The Court has received petitioner's Parallel Motion for Immediate Review of Clerk-Level Misconduct and Structural Breakdown Outside the Scope of Lower-Court Procedural Rules. Prior to this motion's filing, the Court issued an Order DENYING the Petition for Rule to Show Cause Pursuant to C.A.R. 21. No petition for rehearing is permitted in proceedings under C.A.R. 21 after denial of a petition without explanation. See C.A.R. 40(c)(2). THEREFORE, IT IS ORDERED said motion is DENIED AS MOOT. This case is closed.

BY THE COURT, APRIL 15, 2026.

Appendix 3

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	DATE FILED April 21, 2026
Original Proceeding	
In Re: Petitioner: Gabriel Montelongo, v. Proposed Respondents: Colorado Court of Appeals, Denver District Court, Colorado Commission on Judicial Discipline, Office of the Clerk of Court, and Related State Actors.	Supreme Court Case No: 2026SA115
ORDER OF COURT	

On April 17, 2026, the Court received the Petitioner's Supplemental Motion Regarding Structural Error and Ongoing Administrative Failure Affecting the Court's Jurisdiction Under C.A.R. 21. The Court issued its Order denying the Petition for Rule to Show Cause Under C.A.R. 21 on April 15, 2026, which closed the case. Further proceedings in this case are not permitted under the appellate rules.

THEREFORE, IT IS ORDERED that the Petitioner's Supplemental Motion Regarding Structural Error and Ongoing Administrative Failure Affecting the Court's Jurisdiction Under C.A.R. 21 is DENIED as MOOT.

BY THE COURT, APRIL 21, 2026.

Appendix 3-1

Appendix 4

Attorney Regulation Counsel
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Chief Deputy Regulation Counsel
Margaret B. Funk

Deputy Regulation Counsel
Dawn M. McKnight
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**COLORADO SUPREME COURT
ATTORNEY REGULATION COUNSEL**



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Unauthorized Practice of Law

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Michele Melnick
Zoey Tanner
Jonathan P. White

Inventory Counsel
Jay Fernandez

May 11, 2026

Via Email Only

Gabriel Montelongo
1816 S. Canosa Court
Denver, CO 80219

Re: Your request for investigation of Gina M. Simonson, #26-1321

Dear Mr. Montelongo:

This office has completed its review of your request for investigation of the above-referenced attorney. Specifically, I reviewed the written complaint you provided to this office. I also reviewed the court's electronic registry of actions in the case titled *Gabriel Montelongo v. Tyson Waters et al.*, case number 2026CV233, filed in Denver District Court.

The Office of Attorney Regulation Counsel ("OARC") investigates allegations of professional misconduct and, in appropriate cases, prosecutes attorneys for violations of the Colorado Rules of Professional Conduct (each a "Rule" or, collectively, the "Rules"). These Rules govern the ethical conduct of attorneys licensed to practice law in Colorado. If a tribunal finds, or the attorney acknowledges, that the attorney violated one or more of the Rules, an appropriate sanction will be imposed by the Presiding Disciplinary Judge or the Colorado Supreme Court pursuant to the Colorado Rules of Procedure Regarding Attorney Discipline and Disability Proceedings.

This office does not have authority to unilaterally impose discipline upon an attorney. In order to pursue discipline against an attorney, this office must be able to prove that the attorney violated one or more of the Rules by clear and convincing evidence. The information you provided does not establish by clear and convincing evidence a violation of one or more of the Rules by Ms. Simonson in her capacity as a First Assistant Attorney General with the Colorado Department of Law.

Gabriel Montelongo

Re: Request for investigation of Gina M. Simonson, #26-1321

May 11, 2026

Page 2

You allege Ms. Simonson and/or the Colorado Department of Law failed to comply with statutory obligations under the Colorado Open Records Act ("CORA"). You assert after a single substantive email from Ms. Simonson in February 2026, she ceased all communication despite repeated requests for identification, clarification of her role, and confirmation of her authority. You contend Ms. Simonson did not act after being placed on notice of administrative obstruction affecting multiple courts and agencies, including returned mail, misidentified clerks, and failure to docket filings. You allege despite being served in case number 26CV233, the Colorado Department of Law did not identify custodians, did not produce records, and did not provide a lawful Vaughn Index. You request our office ensure that statutory and constitutional rights are protected.

The issues you raise, including whether Ms. Simonson and her office complied with CORA and the statutory provisions you cite, are legal issues. This office cannot decide legal or constitutional issues.

For the reason stated above, the information you provided does not establish by clear and convincing evidence a violation of one or more of the Rules that we enforce by Ms. Simonson. As such, we have closed this investigation and will take no further action.

Pursuant to C.R.C.P. 242.13(b)(3), the decision of this office is final. The complaining witness is not entitled to review or appeal of the decision. This will be my only communication to you regarding these or similar allegations.

Thank you for taking the time to report your concerns. Your involvement in the attorney regulation process is a vital part of the Court's efforts to ensure that attorneys abide by the Rules.

Sincerely,

/s/ Lisa E. Pearce

Assistant Deputy Regulation Counsel

cc: Gina M. Simonson, Esq. **(via Email only)**