☐ **FORM 1.2. DISTRICT COURT CIVIL (CV) CASE COVER SHEET FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM OR THIRD PARTY COMPLAINT AND JURY DEMAND**

District Court _____ County, Colorado Court Address: DENVER DISTRICT COURT 1437 BANNOCK STREET ROOM 256 DENVER CO 80202	FILED IN DENVER DISTRICT COURT OCT 28 2026 DENVER, COLORADO COUNTER CLERK_____ COPY ▲ COURT USE ONLY ▲
Plaintiff(s): Wayne Laugesen v. Defendant(s): Jessica Kellin	
Attorney or Party Without Attorney (Name and Address): Wayne Laugesen, 83 Washington St. Monument CO 80132 Phone Number: E-mail: Wayne.Laugesen FAX Number: Atty. Reg. #: @gmail.com	Case Number: 26 CV 981

DISTRICT COURT CIVIL (CV) CASE COVER SHEET FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM OR THIRD PARTY COMPLAINT AND JURY DEMAND

1. This cover sheet shall be filed with the initial pleading of a complaint, counterclaim, cross-claim or third party complaint in every district court civil (CV) case. It shall not be filed in Domestic Relations (DR), Probate (PR),, Juvenile (JA, JR, JD, JV), or Mental Health (MH) cases or in Water (CW) proceedings subject to sections 37-92-302 to 37-92-305, C.R.S. Failure to file this cover sheet is not a jurisdictional defect in the pleading but may result in a clerk's show cause order requiring its filing.

2. Simplified Procedure under C.R.C.P. 16.1 **applies** to this case **unless** (check one box below if this party asserts that C.R.C.P. 16.1 **does not** apply):

   ☐ This is a class action, forcible entry and detainer, Rule 106, Rule 120, or other similar expedited proceeding, **or**

   ☐ This party is seeking a monetary judgment against another party of more than $100,000.00, exclusive of interest and costs, as supported by the following certification:

   By my signature below and in compliance with C.R.C.P. 11, based upon information reasonably available to me at this time, I certify that the value of this party's claims against one of the other parties is reasonably believed to exceed $100,000.

Or

VERIFIED PETITION CHALLENGING CANDIDATE QUALIFICATIONS

DISTRICT COURT, CITY AND COUNTY OF DENVER, COLORADO

1437 Bannock Street, Denver, CO 80202

Petitioner: WAYNE LAUGESEN, an eligible elector of Colorado's Fifth Congressional District,

v.

Respondents: JESSICA KILLIN, candidate for United States Representative from Colorado's Fifth Congressional District; and JENA GRISWOLD, in her official capacity as Colorado Secretary of State.

Petitioner, pro se: Wayne Laugesen

Address: 83 Washington Street, Monument, CO 80132

Phone: 303-653-1432 Email: Wayne.Laugesen@mail.com

▲ COURT USE ONLY ▲

Case No.: Courtroom:

VERIFIED PETITION CHALLENGING CANDIDATE QUALIFICATIONS UNDER C.R.S. § 1-4-501(3) AND, IN THE ALTERNATIVE, FOR RELIEF UNDER C.R.S. § 1-1-113

Petitioner Wayne Laugesen, by this verified petition, challenges the qualification of Respondent Jessica Killin to appear on the November 3, 2026 general election ballot as a candidate for, or to hold, the office of United States Representative for Colorado's Fifth Congressional District. Petitioner requests an expedited hearing and states as follows.

Introduction

1. The Constitution requires a member of the House to be, "when elected," an inhabitant of the State she represents. U.S. Const. art. I, § 2, cl. 2. Colorado defines residence as a person's "principal or primary home or place of abode." C.R.S. § 1-2-102(1)(a)(I).
2. On October 1, 2026, a Montgomery County, Maryland real-property tax bill for a Chevy Chase house owned by Respondent and her husband designated that house as their "**principal residence**." Earlier bills for the same house, including the 2016–2017 bill, designated it "not a principal residence."
3. That designation came into existence 27 days after the Secretary of State certified the general election ballot on September 4, 2026, and 22 days after the five-day window of challenge, in C.R.S. § 1-4-501(3), closed. It was not reported publicly until October 21, 2026. Petitioner could not have challenged, within five days of certification, a qualification problem created by a document that did not yet exist.
4. The five-day rule exists to resolve known qualification disputes quickly. It was never meant to reward a candidate who, after the window closes, generates a record contradicting her sworn

affirmation that she will meet the qualifications of office. Petitioner asks the Court to hear this challenge on the merits.

I. Parties, Jurisdiction, and Venue

5. Petitioner is an eligible elector who resides in Colorado's Fifth Congressional District, in El Paso County.
6. Respondent Jessica Killin is the Democratic Party's nominee for United States Representative from Colorado's Fifth Congressional District in the November 3, 2026 general election.
7. Respondent Jena Griswold is the Colorado Secretary of State, the designated election official who certified Respondent Killin to the general election ballot. She is named in her official capacity because she is the official charged with duties under C.R.S. § 1-4-501(1) and because the alternative claim under C.R.S. § 1-1-113 runs against an official charged with a duty under the Election Code.
8. This Court has jurisdiction under C.R.S. § 1-4-501(3), which provides that a challenge to a candidate's qualification "shall be filed in the district court in the county in which the official who certified the candidate to the ballot is located," and under C.R.S. § 1-1-113(1). The Secretary of State's office is in Denver. Venue is proper in this Court.

II. Factual Allegations

A. Certification and the election calendar

9. The Secretary of State certified the 2026 general election ballot, including Respondent Killin as the Fifth District Democratic nominee, on Friday, September 4, 2026.
10. Five days after that certification was September 9, 2026. The hearing window described in § 1-4-501(3), five to ten days after certification, closed on or about September 14, 2026.
11. County clerks were permitted to begin mailing general election ballots on October 2, 2026, and were required to mail them by October 9, 2026. Election Day is November 3, 2026.

B. The Maryland principal-residence designation

12. Respondent Killin and her husband, Rajeev Date, own residential real property in Chevy Chase, Montgomery County, Maryland.
13. A Montgomery County real-property tax bill for that property dated **October 1, 2026** designates it as the owners' "principal residence."
14. Earlier tax bills for the same property, including the 2016–2017 bill, designated it as "not a principal residence." The change in designation therefore reflects a new event, not a longstanding clerical label.
15. Upon information and belief, Maryland assigns principal-residence status based on the owner's own claim or representation, including in connection with the homestead property tax credit, for which a homeowner may claim only one principal residence and must identify that residence on the homeowner's Maryland income tax return. Respondent Killin is in sole possession of the facts showing who requested or supplied the designation, and when.

16. Maryland defines a principal residence as the one location where an individual regularly resides and which the individual designates for voting, obtaining a driver's license, and filing income tax returns. A person may have only one.
17. The October 1, 2026 bill and the change from earlier bills were first reported publicly on October 21, 2026. (Amy Curtis, *Colorado Dem Candidate Jessica Killin Still Has 'Principal Residence' in Maryland*, Townhall, Oct. 21, 2026.)

C. Other evidence bearing on residence

18. Respondent Killin and Mr. Date bought a house in Colorado Springs, El Paso County, in June 2025.
19. Mr. Date has been registered to vote at the Colorado Springs address since January 21, 2026. Respondent Killin's Colorado voter registration is not publicly available.
20. In a political contribution reported to the Federal Election Commission and dated August 28, 2025, Respondent Killin listed her occupation as "candidate," her employer as her own Colorado congressional campaign, and her address as the Chevy Chase, Maryland house. ====Her FEC contribution records list both the Maryland and Colorado addresses at various times.
21. Upon information and belief, during the 2026 campaign Respondent Killin has continued to spend substantial time in the Washington, D.C. area, including regular attendance at a fitness studio in the Tenleytown neighborhood of Washington, near the Chevy Chase house, which publicly listed her in August and September, on Facebook, among members who "call the studio home."

D. Petitioner's diligence

22. Petitioner learned of the October 1, 2026 designation after the October 21, 2026 public report. Petitioner obtained and reviewed the underlying records and files this petition on Oct. 28, 2026.
23. On Oct. 28, 2026, Petitioner gave written notice of this challenge to the Secretary of State, as contemplated by C.R.S. § 1-1-113(1).
24. **The constitutional qualification.** A Representative must, "when elected, be an Inhabitant of that State in which he shall be chosen." U.S. Const. art. I, § 2, cl. 2. The qualification is measured on Election Day, November 3, 2026.
25. **Colorado's eligibility statute.** "No person is eligible to be a designee or candidate for office unless that person fully meets the qualifications of that office as stated in the constitution and statutes of this state on or before the date the term of that office begins." C.R.S. § 1-4-501(1). The Secretary "shall not certify the name of any designee or candidate who fails to swear or affirm under oath that he or she will fully meet the qualifications of the office if elected; or who is unable to provide proof that he or she meets any requirements of the office relating to registration, residence, or property ownership." *Id.* A candidate's voter registration record is prima facie evidence of compliance. *Id.*
26. **Residence under Colorado law.** Residence is a person's "principal or primary home or place of abode," the place where the person's habitation is fixed and to which, whenever absent, the person intends to return. C.R.S. § 1-2-102(1)(a)(I)–(II). In deciding where that is, the statute directs consideration of, among other things, residence for income or other tax purposes, the existence of other residences and the time spent at each, and the situs of real property. C.R.S. §

1-2-102(1)(b). A mere intention to return to an abode at some indefinite time, without other indicia of a home, is not enough. *Gordon v. Blackburn*, 618 P.2d 668 (Colo. 1980).

27. **The challenge procedure.** An eligible elector who lives in the district may challenge a candidate's qualification by verified petition "within five days after the designated election official's statement is issued that certifies the candidate to the ballot." The court must hear the evidence and, within 48 hours after the hearing closes, "determine whether the candidate meets the qualifications for the office." C.R.S. § 1-4-501(3).
28. **Courts decide eligibility.** The Colorado Supreme Court has held that questions about a certified candidate's eligibility must be decided by a court, not an election official, and that the Election Code allows eligibility challenges "at multiple junctures in the election process." *Hanlen v. Gessler*, 2014 CO 24, ¶¶ 6, 40–44, 333 P.3d 41. The Court specifically recognized that residency questions can be contested "where, for example, a candidate owns more than one home." *Id.* ¶ 46 (citing *Romero v. Sandoval*, 685 P.2d 772, 775 (Colo. 1984)).

IV. Claim One: Respondent Killin Does Not Meet, and Will Not Meet When Elected, the Inhabitancy Qualification (C.R.S. § 1-4-501(3))

29. Petitioner incorporates the preceding paragraphs.
30. A person can have only one principal residence under Maryland law and only one principal or primary home under Colorado law. As of October 1, 2026, Respondent Killin's Maryland house carried the designation that Maryland reserves for the single place where an owner regularly lives, votes, is licensed to drive, and files income taxes.
31. That designation, measured 33 days before Election Day, is strong evidence that Respondent Killin's principal home is in Maryland and that she will not be an inhabitant of Colorado when elected. It is corroborated by her use of the Maryland address on federal campaign-finance records while identifying herself as a Colorado congressional candidate, and by her continued presence in the Washington area during the campaign.
32. Respondent Killin swore or affirmed under § 1-4-501(1) that she will fully meet the qualifications of the office if elected. The October 1, 2026 designation contradicts that affirmation. The burden of proof rests with Petitioner, but the facts needed to resolve the question (her voter registration, driver's license, tax filings, and Maryland homestead or principal-residence filings) are uniquely in her possession. Petitioner asks the Court to order her to produce them at or before the hearing.

V. This Challenge Is Timely, and the Five-Day Window Cannot Bar It

33. Petitioner acknowledges that § 1-4-501(3) ordinarily requires a challenge within five days after certification. That deadline cannot bar this petition, for six independent reasons.

A. The facts did not exist when the window was open

34. The window ran from September 4 to September 9, 2026. The dispositive document is dated October 1, 2026, 22 days after the window closed. It was not public until October 21, 2026.
35. Colorado law presumes that a claim cannot be time-barred before it exists. A limitations period ordinarily runs from the date a claimant knew or should have known the facts giving rise to the

claim. No amount of diligence could have uncovered on September 9 a designation first made on October 1. The law does not require the impossible.

B. The statute contemplates challenges to eligibility questions that arise after certification

36. The Colorado Supreme Court has described § 1-4-501(3) as the mechanism for resolving eligibility questions that arise *after* certification: "Where a question of eligibility arises after the candidate has been certified to the ballot, the plain language of section 1-4-501(3) makes clear that the court ... must determine whether the candidate is qualified." *Hanlen*, 2014 CO 24, ¶ 42. This is such a question.

C. The qualification itself is forward-looking

37. For a congressional candidate, inhabitancy is measured "when elected," and § 1-4-501(1) requires only that the candidate swear she "will" meet the qualifications. A qualification that speaks to a future date can be defeated by conduct after certification. Reading the five-day window to cut off all challenges based on post-certification conduct would mean a candidate could affirm future compliance, pass certification, and then openly establish her principal residence in another state, with no pre-election remedy at all. The General Assembly intends a just and reasonable result and does not intend an absurd one. C.R.S. § 2-4-201(1)(c).

D. Respondent created the evidence after the deadline and cannot benefit from her own timing

38. Upon information and belief, the change from "not a principal residence" to "principal residence" resulted from a claim, application, or representation made by or on behalf of the owners. A party may not invoke a deadline to shield conduct she undertook after that deadline expired. Equitable estoppel and the principle that no one may profit from her own act bar Respondent from relying on the five-day window against evidence of her own making.

E. Applying the deadline here would deny due process

39. Due process forbids a State from extinguishing a statutory cause of action through a procedure that gives the claimant no meaningful opportunity to be heard. *Logan v. Zimmerman Brush Co.*, 455 U.S. 422 (1982). A filing window that closed before the claim's factual basis existed provides no opportunity at all.

F. Petitioner acted promptly

40. Petitioner filed within days of the facts becoming public. He has not slept on his rights. Compare *Figueroa v. Speers*, 2015 CO 12 (eligibility dispute not raised by any party before the election). Any prejudice from the timing of this petition flows from the timing of Respondent's own October 1 designation, not from any delay by Petitioner.

VI. Claim Two (Alternative): Relief Under C.R.S. § 1-1-113

41. Petitioner incorporates the preceding paragraphs.
42. If the Court concludes that § 1-4-501(3) does not reach this challenge, Petitioner seeks relief in the alternative under C.R.S. § 1-1-113(1), which authorizes an eligible elector to petition the

district court when an official charged with a duty under the Election Code has committed or is about to commit a breach or neglect of duty or other wrongful act. Section 1-1-113 contains no five-day filing limit and is the exclusive method for adjudicating such controversies arising before Election Day. C.R.S. § 1-1-113(4).

43. Under § 1-4-501(1), the Secretary may not certify a candidate who is unable to provide proof that she meets the residence requirements of the office. The Colorado Supreme Court has recognized § 1-1-113 as a vehicle for adjudicating whether a candidate on a Colorado ballot meets a constitutional qualification for federal office. *Anderson v. Griswold*, 2023 CO 63, *rev'd on other grounds sub nom. Trump v. Anderson*, 601 U.S. 100 (2024).
44. Petitioner asks the Court, after notice and a hearing, to determine whether Respondent Killin meets the inhabitancy qualification and to order the Secretary to substantially comply with the Election Code in light of that determination.

VII. Prayer for Relief

WHEREFORE, Petitioner respectfully requests that the Court:

A. Accept this verified petition and, because the statutory hearing window has passed through no fault of Petitioner, set an evidentiary hearing at the earliest practicable date before November 3, 2026;

B. Order Respondent Killin to appear and to produce, at or before the hearing, her Colorado voter registration record (including registration date and address), her current driver's license, her 2025 federal and state income tax returns as they reflect her residence, any Maryland homestead or principal-residence application or certification for the Chevy Chase property, and any record of current voter registration in Maryland;

C. Within 48 hours after the close of the hearing, determine whether Respondent Killin meets the qualifications for the office of United States Representative from Colorado's Fifth Congressional District, as required by C.R.S. § 1-4-501(3);

D. If the Court finds that Respondent Killin does not meet those qualifications, declare her disqualified and order the Secretary of State to proceed as the Election Code requires for a candidate disqualified after general election ballots have been mailed;

E. In the alternative, grant relief under C.R.S. § 1-1-113 ordering the Secretary of State to substantially comply with C.R.S. § 1-4-501(1) in light of the Court's findings, and enter declaratory findings under C.R.C.P. 57 that preserve the record for any post-election proceeding; and

F. Grant such other relief as the Court deems just and proper.

Exhibits Pending Fulfillment of Requests

1. Secretary of State certification of the 2026 general election ballot (September 4, 2026) and certified candidate list for Congressional District 5.
2. Maryland SDAT ownership record, Chevy Chase property.
3. Montgomery County real-property tax bill dated October 1, 2026 (principal residence).
4. Montgomery County real-property tax bill, 2016–2017 (not a principal residence).
5. Townhall report, October 21, 2026.

6. El Paso County Assessor record, Colorado Springs property.
7. Colorado Secretary of State voter record, Rajeev Date.
8. FEC record of August 28, 2025 contribution to Electing Women Denver.

Verification

I, Wayne Laugesen, state that I am an eligible elector residing in Colorado's Fifth Congressional District; that I have read this Verified Petition; that the facts stated in paragraphs 5, 22, and 23 are within my personal knowledge; and that the remaining facts are true and correct to the best of my knowledge, information, and belief, based on the public records attached as exhibits.

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on 10-28-26, 2026, at Monument (city), Colorado.

Wayne Laugesen

[Alternative: notarized verification] Subscribed and sworn to before me this 28 day of OCTOBER, 2026, by Wayne Laugesen.

Notary Public

JOEL KIENITZ
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224021183
My Commission Expires: May 26, 2030

My commission expires: MAY 26 2030