

The Honorable Wayne W. Williams
Secretary of State
1700 Broadway
Suite 200
Denver, Colorado 80290

**PETITION AND INTENTION TO CONTEST THE ELECTION AND CERTIFICATION
OF THE ELECTION OF MATT SOPER
IN HOUSE DISTRICT 54 AT THE NOVEMBER 6, 2018 GENERAL ELECTION**

I, David Edwards, a registered elector in Colorado House District 54, whose mailing address is 3781 Granada Drive, Unit 30, Palisade, Colorado 81526, pursuant to Colorado Revised Statutes §§1-11-201(1)(a), (e); 208; and 208.5, submit this petition and intention to the Honorable Wayne W. Williams, Colorado Secretary of State, contesting the November 6, 2018 election and certification of Matt Soper as state representative in House District 54.

COLORADO CONSTITUTION

Article V, Section 4 of the Colorado Constitution entitled Qualifications of Members states:

No person shall be a representative or senator who shall not have attained the age of twenty-five years, who shall not be a citizen of the United States, *and who shall not for at least twelve months next preceding his election, have resided within the territory included in the limits of the district in which he shall be chosen.*

(Emphasis added).

FACTUAL BACKGROUND AND GROUNDS FOR CONTEST

The Colorado Constitution sets forth three qualifications a candidate for the office of state representative must meet in order to seek election and hold such office. *Id.* The third qualification requires a candidate to reside in the house district for at least twelve months prior to the general election.

The 2018 general election was held on November 6, 2018. Therefore, all candidates for state representative, in each of the sixty-five house districts, were required to reside in their respective house districts for twelve months beginning from at least November 7, 2017.

On November 6, 2018, Matt Soper was elected to the office of state representative in House District 54.

However, Mr. Soper failed to reside or be domiciled in House District 54 for the twelve months preceding the November 2018 general election, and therefore, is ineligible to hold the office of state representative in House District 54. Although Mr. Soper listed 10 Hartig Drive in

Delta, Colorado as his residence he did not reside there for the twelve months prior to the November 2018 election or at any other address within House District 54 during the same twelve month period.

Mr. Soper claims that 10 Hartig Drive has been his residence since November 2016 but Mr. Omar Carreon, Jr. leased the premises, a single family dwelling, from August 2016 through November 28, 2018. Mr. Carreon states that during the period he leased 10 Hartig Drive, Mr. Soper never resided at that address. See Affidavit of Omar Carreon attached hereto as Exhibit 1.

At various times between April 2018 and the November general election, Mr. Soper represented he lived at 1776 Clearview Drive in Delta, Colorado. Assuming the truth of his representations, Mr. Soper lived in the district for less than twelve months prior to the 2018 general election.

Mr. Soper's failure to reside within the geographic boundaries of House District 54 for twelve months prior to the November 6, 2018 general election makes him ineligible to serve as state representative for that district.

For the above stated reasons, Mr. Soper's election as representative of House District 54 is null and void.

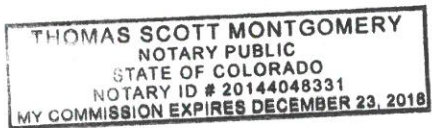
Respectfully submitted this 17th day of December, 2018.

I, David Edwards, verify on my oath that the factual allegations set forth above are true and correct to the test of my knowledge, information and belief..

David Edwards
David Edwards

MESA COUNTY)
STATE OF COLORADO)

Subscribed and sworn to before me by
David Edwards this 17th day of
December, 2018



Thomas Scott Montgomery
NOTARY PUBLIC

My commission expires: 12/23/18

cc The Honorable K.C. Becker
Speaker of the House
Colorado House of Representatives
State Capitol
Denver, Colorado 80203