



Office of the City Clerk  
P.O. Box 1293  
Albuquerque, NM 87103  
Phone (505) 924-3650  
Fax (505) 924-3650  
www.cabq.gov/cityclerk

**RECEIVED**

*By Cristobal Rocha at 8:20 am, Dec 05, 2025*

State of New Mexico )

) s.s.

County of Bernalillo )

## COMPLAINT FORM

**All complaint forms must be submitted by email to [cityclerk@cabq.gov](mailto:cityclerk@cabq.gov)**

**The Office of the City Clerk does not accept paper submissions.**

1. Complainant's Information			
Last Name Ely	First Name Daymon		
Mailing Address 1228 Central Ave. S.W.	City Albuquerque	State NM	Zip Code 87102
Daytime Phone Number (include area code) 505-610-6529	Email Address <a href="mailto:daymon@daymonely.com">daymon@daymonely.com</a>		

2. Respondent's Information			
Last Name Paul	First Name Gessing		
Mailing Address 400 Gold Ave. S.W. Suite 909	City Albuquerque	State NM	Zip Code 87102
Daytime Phone Number (include area code) 505-264-6090	Email Address <a href="mailto:info@riograndefoundation.org">info@riograndefoundation.org</a>		

3. If Respondent is a Candidate, the office or position sought

4. Has this complaint been filed with any law enforcement agencies? If so, list all agencies and attach copies of all complaints submitted. Additional pages may be attached to this form if the space provided below is not adequate.

5. Describe in reasonable detail the alleged violation(s). Please specify the Section(s) or Part(s) of the Election Code, Code of Ethics, Open and Ethical Elections Code, or Rules and Regulations of the Board of Ethics or City Clerk that you believe were violated. Please explain how you believe the Election Code, Code of Ethics, Open and Ethical Elections Code, or Rules and Regulations of the Board of Ethics or City Clerk were violated and the underlying facts. Include the date or date range of the alleged violation(s) and any other pertinent information. Continue on next page.

Dear City Clerk:

I am asking you to open an investigation into who is behind a disgraceful, cruel, and unlawful political stunt that took advantage of our most vulnerable citizens -- the homeless. Mr. Gessing is being named in this complaint because he has told the news media that he has direct knowledge of the person or persons who have committed these unlawful acts but he has, so far, refused to reveal their identities.

Article XIII, Section 2(y) of the City Charter provides:

"Measure Finance Committee" means a political committee or any person or combination of two or more persons acting jointly in aid of or in opposition to the effort of anyone seeking to have their name placed on the ballot for city office, a petition to place a measure on the ballot pursuant to Article III of this Charter, voter approval or disapproval of one or more measures on the ballot and/or the election to, or recall from, office of one or more candidates for office when such person or people have accepted contributions in excess of \$250 or make expenditures in excess of \$250 for any of the purposes listed heretofore.

By way of background, sweatshirts started showing up on homeless people in Albuquerque with "I Love Mayor Keller" as early voting was starting in Albuquerque for the run-off. I have been working on the homeless issue for the past 2 and 1/2 years. These people are being unwittingly used as walking human billboards in connection with this election.

Mr. Gessing, a well-known political operative, was interviewed by KOAT-TV on December 2, 2025. Mr. Gessing has confirmed the following:

\*He knows who is behind this activity;

\*That the person or persons were "not a Keller supporter"; and

\* That the activity was designed to highlight an issue as people were going to the polls.

These tactics are in direct violation of the City Charter. Notwithstanding this fact, Mr. Gessing described the activities as "brilliant", "an interesting technique" and "gorilla marketing or gorilla campaign tactics."

I would have a different description -- "cruel".

Mr. Gessing has refused to reveal the person(s) behind the activity because they "don't want to made public". Given the nature of the activity, I can understand why they would not come forward. But, if this stays in the shadows, it will make a mockery of the Election Code.

This kind of behavior has to stop. Clearly more than \$250 was spent. If this is not properly investigated the political process and the attempts to regulate the process are meaningless.

These people are being used as political props. It is disgraceful. It is also unlawful.

Daymon Ely

6. List and attach evidence that supports your allegations, including but not limited to:
  - a. The names/telephone numbers of persons whom you believe may be witnesses to the facts;
  - b. A copy or picture of any political advertisement(s) Complainant references;
  - c. A copy of each document the Complainant references; and
  - d. Any other evidence supporting your allegations.

<https://mail.myonlinebeacon.com/owa/attachment.ashx?attach=1&id=RgAAAABWLwqtd%2bOuTKqxJNk%2ff%2fHLBwCCAWDkfTzZR7xGHhetbltdAAAAPd%2bNAACCAWDkfTzZR7xGHhetbltdAAE1T5FxAAAJ&attid0=BAAAAAAA&attcnt=1>

December 3, 2025: KOAT: Do "I Love Mayor Keller" sweatshirts violate Albuquerque election code?

Transcript:

<https://www.koat.com/article/do-i-love-mayor-keller-sweatshirts-violate-albuquerque-election-code/69627480>

KOAT Anchor: Tonight, Target 7 has an investigation. We're learning more about the possible motive behind the yellow sweatshirt stunt — and whether it could violate the city's election

laws. Here's Jason McNabb.

Jason McNabb, KOAT:

. . . . .

But was it a gesture — or something else?

Paul Gessing, Rio Grande Foundation:

"I am aware of the individual who passed the shirts out."

Jason McNabb, KOAT: Gessing posted about the sweatshirts on his blog.

Gessing:

"I can't tell you who it is because they don't want to be identified as someone doing this kind of guerrilla marketing or guerrilla campaign tactic."

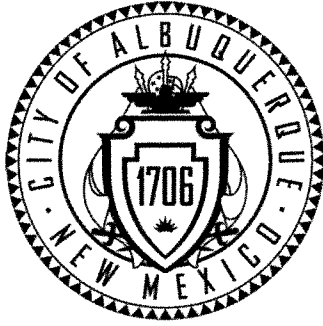
Jason McNabb, KOAT: Gessing said the person who paid for the shirts is not a Keller supporter — and that neither he nor the Rio Grande Foundation nor anyone connected to the

White campaign was involved. He said the individual was trying to highlight what they see as

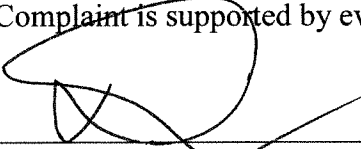
the city's failure on homelessness.

Gessing:

"Personally, I think it's brilliant — an interesting technique to highlight an issue and put it in front of the media and voters."

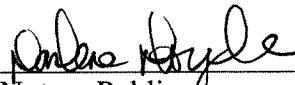


I, Damon B. Ely, hereby swear and affirm under penalty of perjury that, to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this Complaint is supported by evidence.

  
Complainant (Signature)

Damon B. Ely  
Print or type name of Complainant

Sworn or affirmed before me, the undersigned authority by Darlene Doyle this 4th day of December 2025.

  
Notary Public

