

STATE OF COLORADO Secretary of State Administrative Hearing Officer 1700 Broadway, Suite 550 Denver, CO 80290	^ COURT USE ONLY ^
BUSINESS AND LICENSING DIVISION of the SECRETARY OF STATE, Complainant, v. CARMEN BANUELOS, Respondent.	Case No. 2025 AHO 31 (Notary)
PHILIP J. WEISER, Attorney General ROBERT W. FINKE, 40756* First Assistant Attorney General GRAHAM T. GERHART, 57767* Assistant Attorney General Ralph L. Carr Judicial Building 1300 Broadway, 8 th Floor Denver, CO 80203 Tel: (720) 508-6376 (Finke) (720) 508-6937 (Gerhart) Fax: (720) 508-6037 Robert.Finke@coag.gov Graham.Gerhart@coag.gov *Counsel of Record	
MOTION FOR ENTRY OF DEFAULT JUDGMENT	

The Notary Division of the Colorado Department of State moves for an entry of default judgment under section 24-4-105(2)(b), C.R.S. (2024), and Rule 8 of the Office of Administrative Courts' Procedural Rules.

1. On October 1st, 2025, the Notary Division served Respondent Carmen Banuelos with a Notice of Duty to Answer, Notice to Set, Notice of Hearing, and Notice of Charges ("Notice") by United States mail, first-class postage prepaid. The Notice

seeks the revocation of Banuelos' notary commission and advised Banuelos of her procedural rights and duties in this proceeding.

2. Service was made on Banuelos by mailing the Notice to the last home and work addresses she furnished to the agency. *See* Ex. 1 (Janna Gomez Decl.).

3. Banuelos' answer was due on October 30, 2025, 30 days after the Notice was originally sent to the last addresses provided to the Notary Division. As of the date of this motion, no answer has been received.

4. Section 24-4-105(2)(b) provides that if an individual fails to file an answer within 30 days after the mailing of the notice, an administrative law judge, "upon motion, may enter a default."

5. Rule 8 of the OAC Procedural Rules similarly provides that "an administrative law judge may enter a default against" an individual who fails to answer within 30 days. Rule 8 requires the party filing a motion for default to serve the motion on all parties to the proceeding, and to provide an affidavit establishing service of the notice and motion for default.¹

6. The Notice sent to Banuelos advised: "If you fail to file your written answer within thirty (30) days, an order entering a default decision may be issued. The issuance of a default decision may result in the revocation of your notary commission, and such other relief as provided for by law, without further notice."

7. A copy of this motion is being served on Banuelos by U.S. mail as indicated

¹ C.R.C.P. 108 permits the use of unsworn declarations under section 13-27-101, C.R.S., whenever a procedural rule requires an affidavit. See also OAC Rule 15 (Rules of Civil Procedure generally apply). The Notary Division is submitting a declaration that confirms with section 13-27-101 in lieu of an affidavit.

in the Certificate of Service attached to this motion and in the Watt Declaration.

THEREFORE, the Secretary respectfully requests that the Administrative Law Judge enter an Initial Decision revoking Respondent Carmen Banuelos' notary commission.

Respectfully submitted this 7th day of November, 2025.

PHILIP J. WEISER
Attorney General

/s/ *Graham Gerhart*

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*Counsel of Record

CERTIFICATE OF SERVICE

This is to certify that I have duly served the foregoing **MOTION FOR ENTRY OF DEFAULT JUDGMENT** upon all parties herein by email and First-Class U.S. mail, this 7th day of November, 2025, addressed as follows:

Hearing Officer
Colorado Secretary of State
AdministrativeHearingOfficer@C
oloradoSOS.gov

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Respondent

s/Shannon Wall
For the Office of the Attorney General