

NEW MEXICO STATE ETHICS COMMISSION

FORMAL OBJECTION AND REQUEST TO WITHDRAW EXTENSION

Case No. 2026-046, *Lujan v. Romero*

Complainant:

Pablo Lujan
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Respondent:

Representative Andrea Romero
New Mexico House of Representatives, District 46
P.O. Box 32963
Santa Fe, New Mexico 87594
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Submitted to: Jeremy Farris, Executive Director

Date: October 13, 2026

Service: Proceedings Portal and electronic mail

Dear Director Farris:

I am the complainant in *Lujan v. Romero*, Case No. 2026-046. I formally object to the extension of Representative Andrea Romero's response deadline to Monday, November 2, 2026, and ask that it be withdrawn as improvidently granted.

I. THE EXTENSION EXCEEDS THE COMMISSION'S AUTHORITY

1. The Commission's September 16, 2026 Notice to Respondent stated:

"You may file a response to the complaint within 15 days of the date of this notification and serve the same upon the complainant."

The notice was dated, emailed, and uploaded to the Proceedings Portal on September 16. The resulting response deadline was October 1, 2026.

2. Standing Order No. 2 provides:

"The Executive Director may grant extensions to the filing deadlines imposed by Rule 1.8.3.10 NMAC of up to twenty-one days upon request."

Twenty-one additional days would extend the deadline to October 22. November 2 is 32 days after October 1—eleven days beyond the Commission's published limit.

3. I also do not know when Representative Romero requested the extension. Neither her request nor the ruling was served on me or placed in the Proceedings Portal.

4. If the request was made after October 1, the original deadline had already expired. That would not merely extend a pending deadline; it would excuse an untimely response. The Commission should identify the authority permitting that action.

5. Because no ruling was disclosed, I also cannot determine whether the Executive Director granted the extension or whether Commission counsel acted under delegated authority. Although 1.8.1.8(S) NMAC permits the Director to delegate responsibilities to appropriate staff, delegation cannot expand the 21-day limit imposed by Standing Order No. 2.

II. THE UNDISCLOSED REQUEST AND RULING UNDERMINE A FAIR CASE RECORD

6. The September 16 notice assured the parties: "Both parties to this proceeding will receive notice of any action taken on the complaint." Nevertheless, I received no notice of the request, the grounds offered, the ruling, or the authority relied upon.

7. I learned of the extension only after a phone call to the Commission. A material deadline should not be changed through an undisclosed communication that never enters the case record. At minimum, the record should show:

- Who requested the extension and when;
- What grounds were asserted;
- Who granted it and when; and
- What authority permitted a November 2 deadline.

8. The absence of these records makes it impossible to determine whether the request was timely, whether the decision-maker possessed the necessary authority, or whether the Commission applied its published procedure evenhandedly.

III. THE TIMING HARMS NEW MEXICO VOTERS

9. NMSA 1978, Section 10-16G-15(B) and 1.8.3.9(B) NMAC already protect candidates during the 60 days before an election by restricting the Commission's adjudication of complaints. They do not suspend the respondent's response deadline or authorize an additional extension through Election Day.

10. The November 2 deadline falls one day before the November 3 general election. Neither the Commission nor Representative Romero can plausibly regard that as an ordinary date: it permits her to withhold her response throughout virtually the entire period in which the voters of House District 46 are deciding whether to return her to office.

11. The underlying complaint is not about a technical violation or private conduct. It asks whether Representative Romero used legislative office to obtain a personal benefit, accepted compensated state employment that the Attorney General later declared unlawful, and failed to disclose or address conflicts affecting the high-profile Epstein investigation she chairs. Those unresolved questions have already damaged public confidence in the Truth Commission. Her response bears directly on whether voters can trust her judgment, candor, and stewardship of public power. By moving that response to the eve of the election, the Commission has not merely given a politician more time—it has denied voters a meaningful opportunity to examine her account before casting their ballots.

12. Representative Romero has now placed the Ethics Commission itself in an untenable position. The agency charged with enforcing ethical standards appears to have exceeded its own published limit to accommodate a sitting politician, while withholding the request and ruling from the opposing party. Whether that result was intended or not, the appearance is unmistakable: a politician received exceptional and undisclosed procedural treatment that allows her response to remain unavailable until the eve of her election. That appearance damages the credibility of the Commission as much as it benefits the respondent.

13. This harms the public, not merely the complainant. New Mexico voters deserve more information before they vote, not less. They deserve more ethics from their elected officials, not less—and they deserve an Ethics Commission whose published rules mean what they say.

IV. REQUESTED ACTION

14. I respectfully request that the Commission:

- a. **Withdraw the November 2 extension as improvidently granted** and establish a prompt deadline consistent with Standing Order No. 2;
- b. Provide and docket Representative Romero's complete extension request, including the date submitted, grounds asserted, and all related correspondence;
- c. Provide and docket the order, email, decision, or other record granting the extension;
- d. Identify who selected and approved November 2, the date of that approval, and any delegation of authority relied upon;

- e. Identify the authority permitting an extension beyond October 22 or excusing an untimely request made after October 1;
- f. Explain why I was not notified despite the Commission's written assurance that both parties would receive notice of actions taken on the complaint;
- g. Provide both parties equal notice of all future requests, communications, and rulings affecting deadlines or other procedural rights;
- h. Confirm that the General Counsel's investigation is proceeding notwithstanding the extension; and
- i. Upload this objection and the Commission's response to the Case Management and Filing System.

15. I am submitting an attached Inspection of Public Records Act request for the extension request, ruling, and related communications. That request does not replace the Commission's obligation to provide equal procedural notice and maintain a complete case record.

16. Because the challenged deadline is approaching and any meaningful correction must occur before the election, I request a written response by Friday, October 16, 2026. That is also the date on which the Commission's written response to the attached Inspection of Public Records Act request is due under NMSA 1978, Section 14-2-8(D).

Respectfully submitted,

Pablo Lujan

Complainant

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Attachment: Inspection of Public Records Act Request Concerning Extension Records and Communications