

DISTRICT COURT, DENVER COUNTY, COLORADO Denver City and County Building 1437 Bannock Street, Room 256 Denver, CO 80202	▲ COURT USE ONLY ▲
SEAN VADNEY , a candidate for Secretary of State, Petitioner, v. JENA M. GRISWOLD , in her official capacity as the Colorado Secretary of State Respondent.	
<i>Attorney for Petitioner:</i> Nicholas J. Sarwark, #40608 The Hallstrom Law Firm, PLLC 6909 S. Holly Circle, Suite 200 Centennial, CO 80112 (301) 526-7491, nicholas@hallstromlawfirm.com	Case No.: Division:
VERIFIED PETITION TO PLACE SEAN VADNEY ON THE GENERAL ELECTION BALLOT FOR SECRETARY OF STATE TO FILL THE VACANCY CAUSED BY THE WITHDRAWAL OF ALEX ASTLEY (C.R.S § 1-1-113)	

Petitioner, through undersigned counsel, submits this petition under C.R.S. § 1-1-113 to place Sean Vadney on the general election ballot for Secretary of State to fill the vacancy created by the withdrawal of the winner of the Libertarian Party primary election and states as follows:

Parties

1. Petitioner Sean Vadney was chosen by the Libertarian Party of Colorado as candidate for Secretary of State to fill the vacancy created by the withdrawal of Alex Astley.

2. Respondent Jena M. Griswold is the Colorado Secretary of State with her office in Denver, Colorado.

Jurisdiction and Venue

3. This Court has jurisdiction over this matter under C.R.S. § 1-1-113.

4. Venue is proper in the District Court for the City and County of Denver as the customary and most appropriate for Election Code challenges under C.R.S. § 1-1-113 involving the Secretary of State and a candidate for statewide office.

Factual Background

5. On April 18, 2026 at the Libertarian Party of Colorado convention, Sean Vadney and Alex Astley both sought the nomination for Secretary of State, but neither candidate received a majority.

6. On June 30, 2026, a Libertarian primary election was administered by the Respondent, in which Alex Astley received the most votes and was certified as the Libertarian Party nominee for the general election.

7. On August 26, 2026, Alex Astley sent a notarized statement of his withdrawal to the Chair and Vice Chair of the Libertarian Party of Colorado and later sent the same communication to the Respondent.

8. On August 29, 2026, the Libertarian Party of Colorado vacancy committee met and selected Sean Vadney to fill the vacancy created by the withdrawal and provide voters a Libertarian candidate to vote for in the Secretary of State race in November.

9. On August 31, 2026, representatives of the Libertarian Party of Colorado submitted forms to the Secretary of State designating Sean Vadney to fill the vacancy, but those forms were denied due to the date of Alex Astley's withdrawal being one day outside the period for withdrawal described in C.R.S. § 1-4-1007.

Claim for Relief

10. It is well established that the Colorado Election Code shall be “liberally construed” to permit eligible electors to vote, and that all provisions are subject to “substantial compliance” as the standard for proper conduct. See C.R.S. §§ 1-1-103; 1-1-113; *Loonan v. Woodley*, 882 P.2d 1380, 1384 (Colo. 1994) (discussing substantial compliance standard).

11. The Libertarian Party of Colorado submitted all required forms by the deadline imposed by C.R.S. § 1-4-1007 (“The designation and acceptance of the person selected to fill the vacancy must be submitted to the designated election official no later than the sixty-fourth day before the date of the general election.”).

12. The Secretary can fill vacancies in major party nominations “occurring from the day after the primary election through the earliest day to mail general election ballots.” C.R.S. § 1-4-1005(2).

13. If the Secretary does not place Sean Vadney on the ballot to fill the vacancy created by Alex Astley’s withdrawal, eligible electors who participated in the Libertarian Party primary for the Secretary of State’s office will be denied their right to vote for a Libertarian candidate in the general election.

Prayer for Relief

FOR THESE REASONS, Petitioner prays for judgment on his behalf and relief as follows:

A. For an order placing Sean Vadney on the November 3, 2026, general election ballot for the Libertarian nomination for Colorado Secretary of State.

B. For such other and further relief as this Court deems just and proper.

DATED: September 1, 2026

/s/Nicholas J. Sarwark
Nicholas J. Sarwark, #40608
Counsel for Petitioner

Verification

I, Sean Vadney, declare under penalty of perjury under the laws of the United States and Colorado that the foregoing is true and correct to the best of my knowledge.

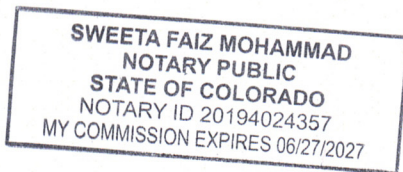
Sean Vadney
Sean Vadney

Notary Block

STATE OF COLORADO)
COUNTY OF Douglas)ss.

SUBSCRIBED AND SWORN TO BEFORE ME this 1 day of September, 2026 by Sean Vadney.

Witness my hand and official seal:



Sweeta Faiz Mohammad

Notary Public

My Commission Expires: 06/27/2027