

BOULDER COUNTY COURT—LONGMONT, STATE OF COLORADO 1035 Kimbark St., Longmont, CO 80501 CHRISTOPHER S.P. GREGORY, Petitioner, v. PHILIP J. WEISER, Respondent.	DATE FILED October 6, 2026 3:31 PM FILING ID: DE54773C31A83 CASE NUMBER: 2026C30766 ▲ COURT USE ONLY ▲
<i>Attorney for Colorado Commission on Judicial Discipline:</i> PHILIP J. WEISER, Attorney General CHARLES J. KOOYMAN, Senior Assistant Attorney General* Ralph L. Carr Colorado Judicial Center 1300 Broadway, 10 th Floor Denver, CO 80203 Telephone: 720-508-6633 E-Mail: charles.kooyman@coag.gov Registration Number: 43595 *Counsel of Record	Case No. 2026C030766 Div.: 11
EMERGENCY MOTION TO (1) SEAL PETITIONER’S VERIFIED COMPLAINT FOR CIVIL PROTECTION ORDER, SUPPLEMENT THERETO, AND DECLARATION OF CHRISTOPHER S.P. GREGORY, AND (2) REQUIRE PETITIONER TO FILE ANY PAPERS THAT CONTAIN DISCUSSION OF JUDICIAL DISCIPLINE REGARDING COLORADO JUDGES AS SUPPRESSED IN THE FIRST INSTANCE	

Proposed Intervenor the Colorado Commission on Judicial Discipline (the “Commission”), by and through its undersigned attorney, moves to have the Clerk of Court place under seal Petitioner’s (1) Verified Complaint for Civil Protection

Order, including the copy attached to the Court's October 2, 2026 order, (2) Supplement to Verified Complaint for Civil Protection Order, and (3) Declaration of Christopher S.P. Gregory to Compel Prosecution Under Sec. 16-5-209. The Commission seeks to have these documents sealed on the basis that Petitioner included information regarding judicial misconduct proceedings that must be kept confidential pursuant to the Colorado Constitution.

Petitioner filed these same documents in a total of forty-six actions he initiated in this Court on October 1, 2026. *See* 2026C020722 - 2026C020767. Given the number of actions and volume of paper filed by Petitioner, the Commission further requests two weeks from any order sealing these papers for the Commission to provide proposed redacted versions that may be publicly filed.

Finally, the Commission requests that this Court order Petitioner to file any filings that contain any discussion of judicial discipline regarding Colorado judges as suppressed until the Court and the Commission can confirm that the filings contain no confidential information. This relief is necessary in light of Petitioner's repeated filings containing information he knows is confidential and that has been sealed in multiple actions.

CERTIFICATE OF CONFERRAL PURSUANT TO C.R.C.P. 121, 1-15(8)

On October 6 and via email, the Commission's counsel sought to confer with counsel for Petitioner regarding the issues presented in this motion. Petitioner has not responded to the email conferral as of the time of filing, but undersigned counsel

presumes it to be opposed. Given the emergency nature of this request, the Commission proceeded to file this motion.

BACKGROUND

Petitioner's 46 complaints filed on October 1 in this Court are just the latest in a string of actions that he has filed in which he has asserted some broad, decades-long conspiracy involving the Colorado judiciary, the Colorado Attorney General's Office, Governor Polis, members of the Commission, and any others that have touched his litigations in carrying out their official duties as Colorado government employees. *See United States ex rel. Gregory and the State of Colo. ex rel. Gregory v. Masias, et al.*, 1:25-cv-00190 KHV-GEB (D. Colo.); ("federal *qui tam* action"); *Gregory v. Colo. Jud. Discipline Rulemaking Comm., et al.*, 1:25-cv-03361-KHV-GEB (D. Colo.) ("*Gregory* federal civil action"); *Gregory v. Hunter*, 2026CV31374 ("*Hunter* action"); *Gregory v. Colo. Off. of Jud. Perform. Eval., et al.*, Denver Dist. Ct. Case No. 26CV32668 ("*COJPE* action"); *In re Gregory v. Colo. Off. of Jud. Perform. Eval., et al.*, Colo. Sup. Ct. Case No. 26SA268 ("*Gregory C.A.R. 21* action").

The federal *qui tam* action is sealed, but in each of these other actions Petitioner has recited information regarding private discipline issued by the Commission while Petitioner was serving as the vice-chair of the Commission and details of investigative actions he took while serving as the Commission's Executive Director.

The Commission was one of forty named Defendants in the *Gregory* federal civil action. After Petitioner recited information regarding private discipline issued by the Commission in an “Affidavit”, (1) defendants, including the Commission, requested sealing of this information, (2) the parties fully briefed the motion, (3) the court heard oral argument, and (4) the court ordered sealing of the information in question, and further ordered Petitioner to file any information “that mention[s] State or Federal Judges” under seal in the first instance. *Gregory v. Colo. Jud. Discipline Rulemaking Comm., et al.*, 1:25-cv-03361-KHV-GEB (D. Colo.), ECF No. 90.

The Commission was not a named party in either the *Hunter* action or the *COJPE* action. Rather, the Commission intervened in each action after Petitioner publicly filed documents that continued to recite information regarding private judicial misconduct proceedings. In both these actions, the Denver District Court issued blanket orders requiring Petitioner to file documents discussing state misconduct proceedings as suppressed in the first instance. The *Gregory C.A.R. 21* action is likewise suppressed for including this same confidential information.

In this action (and each of the other 45 actions he filed on October 1 before this Court), Petitioner again repeats allegations regarding this same private judicial discipline already sealed by both the federal court, the Colorado Supreme Court, and the Denver District Court in his (1) Verified Complaint for Civil Protection Order, (2) Supplement to Verified Complaint for Civil Protection Order, and (3)

Declaration of Christopher S.P. Gregory to Compel Prosecution Under Sec. 16-5-209.

ARGUMENT

Pursuant to C.R.C.P. 121 § 1–5, a trial court may limit access to court files upon motion. “[A]n order limiting access is not to be granted except upon a finding that the harm to the privacy of a person in interest outweighs the public interest.” *Doe v. Heitler*, 26 P.3d 539, 544 (Colo. App. 2001) (citing *In re Marriage of Purcell*, 879 P.2d 468 (Colo. App. 1994)). Applied here, the interests in sealing this confidential information far outweigh the public interest in private records.

The Commission is tasked with investigating complaints regarding judicial conduct, Colo. Const. art. VI, § 23(3)(e)(I), and in that role the Commission receives sensitive, confidential information regarding alleged misconduct by Colorado judges. Recognizing this role of trust, the Colorado Constitution specifically provides that proceedings before the Commission are confidential unless and until they result in formal proceedings. *Id.* § 23(3)(g) (“Prior to the commencement of formal disciplinary proceedings ... all papers filed with and proceedings before the commission on judicial discipline are confidential....”); *see also* Colo. RJD 6.5 (“The proceedings of the Commission ... including all papers, investigative notes and reports, pleadings and other written or electronic records, shall be confidential unless and until the Commission files a recommendation [for formal proceedings].”). These confidentiality requirements continue even after an individual leaves the

Commission. *See* Colo. RJD 3.5(b)(5) (rules apply to “former Commission members and staff with respect to information to which they had access while serving the Commission.”).

The importance of keeping investigations and certain judicial disciplinary proceedings confidential is well established. *See, e.g., Clemmer v. Off. of Chief Judge*, 544 F. Supp. 2d 722, 728 (N.D. Ill. 2008) (“All 50 states, as well as the Federal Government, recognize the importance of keeping these investigation records confidential, and thus have similar privileges protecting the confidentiality of judicial investigation records.”). A state’s interest in the confidentiality of judicial disciplinary proceedings furthers important government interests, including insuring effective judicial review commissions, encouraging the filing of complaints and witness participation, protecting judges from frivolous complaints, and encouraging removal or remedial actions from judges at early stages of an investigation. *Landmark Communications, Inc. v. Virginia*, 435 U.S. 829, 835-836, and 841 (1978); *Kamasinski v. Jud. Rev. Council*, 44 F.3d 106, 110 (2d Cir. 1994).

The Complaint (including the copy attached to the Court’s October 2, 2026 order), Supplement, and Declaration include information about judicial conduct proceedings that must remain confidential to prevent harm to the State’s interest in maintaining the integrity of its judicial discipline process. *See Landmark*, 435 U.S. at 835-836; *Kamasinski*, 44 F.3d at 110. Disclosure would signal to judges and witnesses that they cannot rely on the Colorado Constitution’s guarantees of

confidentiality when making complaints, impact witnesses' and judges' willingness to cooperate with Commission investigations, and affect whether judges will accept informal disciplinary actions in lieu of formal proceedings. Ultimately, allowing disclosure would erode confidence in the judicial system.

Further tipping the scale to sealing is that Petitioner's inclusion of this confidential information is, at best, ancillary to his claims and an apparent end-run around numerous court orders requiring that he not file such information publicly. (Indeed, if this Motion is granted, the Commission will submit redacted versions of these documents, which will illustrate that the confidential information is both limited and unnecessary to his allegations.) Petitioner's gratuitous inclusion of this information suggests that Petitioner is abusing the privilege of public filing to publish information that he is required, by law, to keep confidential. Indeed, it appears that Petitioner's intent is to make the confidential information at issue here public as many times as possible, regardless of the legality of doing so and in derogation of court orders.

In making this request to seal, the Commission acknowledges the interest in public court filings. The Commission therefore requests two weeks after the Court grants this motion for the Commission to provide redacted public versions of Petitioner's filings. This time is necessary given the sheer volume and number of papers at issue.

Finally, given the pervasive and consistent disregard of the requirements to maintain the confidentiality of private judicial discipline, the Commission also requests that any filing made by Petitioner that contains information regarding Colorado State judicial discipline proceedings be filed as suppressed to allow the Court and the Commission time to identify confidential information that is inappropriate to include in public filings. Petitioner has demonstrated an inability to exercise good faith in court filings, and his attempts to impugn judges by publishing information that may or may not be true is particularly damaging given the Commission's inability to set the record straight due to *its* obligation to comply with confidentiality requirements. Additionally, Petitioner's actions harm victims who were previously assured of the confidentiality of Commission proceedings and result in the needless expenditure of State resources in defending the Commission's confidentiality obligations. Although these actions are closed, such relief is necessary because Petitioner may still file papers in these actions.

CONCLUSION

For the reasons described above, the Commission respectfully requests that the Court:

- (1) Grant the motion to seal Petitioner's (1) Verified Complaint for Civil Protection Order (including the copy of the Complaint attached to the Court's October 2, 2026 order), (2) Supplement to Verified Complaint for Civil

Protection Order, and (3) Declaration of Christopher S.P. Gregory to Compel Prosecution Under Sec. 16-5-209;

- (2) Grant the Commission two weeks from the date of any order for the Commission to provide redacted versions of these documents for public filing;
- (3) Require Petitioner, and any attorney acting on his behalf, to file as suppressed any documents containing information regarding judicial discipline of Colorado judges until the Court and the Commission can review those filings for necessary redactions; and
- (4) Any other relief the Court deems reasonable and appropriate to address Petitioner's unauthorized and inappropriate disclosure of confidential information.

DATED: October 6, 2026

PHILIP J. WEISER
Attorney General

/s/ Charles J. Kooyman

CHARLES J. KOOYMAN, 43595*
Senior Assistant Attorney General
Revenue and Regulatory Law Section
Attorney for the Colorado Commission on
Judicial Discipline
*Counsel of Record

CERTIFICATE OF SERVICE

I certify that I have filed and served this **EMERGENCY MOTION TO (1) SEAL PETITIONER’S VERIFIED COMPLAINT FOR CIVIL PROTECTION ORDER, SUPPLEMENT THERETO, AND DECLARATION OF CHRISTOPHER S.P. GREGORY, AND (2) REQUIRE PETITIONER TO FILE ANY PAPERS THAT CONTAIN DISCUSSION OF JUDICIAL DISCIPLINE REGARDING COLORADO JUDGES AS SUPPRESSED IN THE FIRST INSTANCE** upon all parties of record via Colorado Courts E-Filing this 6th day of October 2026.

/s/ Charles J. Kooyman
