

Arizona Supreme Court

Civil Election Appeal

CV-24-0087-AP/EL

LIANE BRECKLING v ARTURO HERNANDEZ, et al.

Appellate Case Information

Case Filed: 27-Apr-2024

Case Closed:

Dept/Composition

Side 1. LIANE BRECKLING, Plaintiff/Appellant

(Litigant Group) LIANE BRECKLING

- Liane Breckling

Attorneys for: Plaintiff/Appellant

Roy Herrera, Esq. (AZ Bar No. 32901)
Daniel A Arellano, Esq. (AZ Bar No. 32304)
Jillian Andrews, Esq. (AZ Bar No. 34611)
Austin T Marshall, Esq. (AZ Bar No. 036582)
Elisabeth C Frost, Esq. (DC Bar No. elisabethfrost)
Omeed Alerasool, Esq. (AZ Bar No. omeedalerasool)

Side 2. ARTURO HERNANDEZ, et al., Defendant/Appellee

(Litigant Group) ARTURO HERNANDEZ, et al.

- Arturo Hernandez

Attorneys for: Defendant/Appellee

Kory A Langhofer, Esq. (AZ Bar No. 24722)
Thomas J Basile, Esq. (AZ Bar No. 31150)

Side 3. ADRIAN FONTES, in his official capacity as the Arizona Secretary of State, Defendant/Appellee

(Litigant Group) ADRIAN FONTES, in his Official Capacity as the Arizona Secretary of State

- Adrian P Fontes, Arizona Secretary of State

Attorneys for: Defendant/Appellee

Kara Karlson, Esq. (AZ Bar No. 29407)
Karen J Hartman-Tellez, Esq. (AZ Bar No. 21121)
Kyle R Cummings, Esq. (AZ Bar No. 32228)

Side 4. APACHE COUNTY BOARD OF SUPERVISORS, in their official capacity; LARRY NOBLE, in his official capacity as Apache County Recorder, Defendant/Appellee

(Litigant Group) APACHE COUNTY BOARD OF SUPERVISORS, in their official capacity; LARRY NOBLE, in his official capacity as Apache County Recorder

- Apache County Recorder's Office
- Larry Noble, Apache County Recorder's Office

Attorneys for: Defendant/Appellee

Celeste M Robertson, Esq. (AZ Bar No. 35588)

Side 5. COCHISE COUNTY BOARD OF SUPERVISORS, in their official capacity; DAVID W. STEVENS, in his official capacity as Cochise County Recorder, Defendant/Appellee

(Litigant Group) COCHISE COUNTY BOARD OF SUPERVISORS, in their official capacity; DAVID W. STEVENS, in his official capacity as Cochise County Recorder

- Cochise County Recorder's Office
- David W Stevens, Cochise County Recorder's Office

Attorneys for: Defendant/Appellee

Christine Roberts, Esq. (AZ Bar No. 33718)
Brian M McIntyre, Esq. (AZ Bar No. 19200)
Paul Correa, Esq. (AZ Bar No. 17187)

Side 6. COCONINO COUNTY BOARD OF SUPERVISORS, in their official capacity; PATTY HANSEN, in her official capacity as Coconino County Recorder, Defendant/Appellee

(Litigant Group) COCONINO COUNTY BOARD OF SUPERVISORS, in their official capacity; PATTY HANSEN, in her official capacity as Coconino County Recorder

- Coconino County Recorder's Office
- Patty Hansen, Coconino County Recorder's Office

Attorneys for: Defendant/Appellee

Rose Winkeler, Esq. (AZ Bar No. 25023)

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Side 7. GILA COUNTY BOARD OF SUPERVISORS, in their official capacity; SADIE JO BINGHAM, in her official capacity as Gila County Recorder, Defendant/Appellee

(Litigant Group) GILA COUNTY BOARD OF SUPERVISORS, in their official capacity; SADIE JO BINGHAM, in her official capacity as Gila County Recorder

● Gila County Recorder's Office

Attorneys for: Defendant/Appellee

● Sadie Jo Bingham, Gila County Recorder's Office

Jeff Dalton, Esq. (AZ Bar No. jeffdalton)

Side 8. GRAHAM COUNTY BOARD OF SUPERVISORS, in their official capacity; POLLY MERRIMAN, in her official capacity as Graham County Recorder, Defendant/Appellee

(Litigant Group) GRAHAM COUNTY BOARD OF SUPERVISORS, in their official capacity; POLLY MERRIMAN, in her official capacity as Graham County Recorder

● Graham County Recorder's Office

Attorneys for: Defendant/Appellee

● Polly Merriman, Graham County Recorder's Office

Jean Anne Roof, Esq. (AZ Bar No. 33354)

Side 9. GREENLEE COUNTY BOARD OF SUPERVISORS, in their official capacity; SHARIE MILHEIRO, in her official capacity as Greenlee County Recorder, Defendant/Appellee

(Litigant Group) GREENLEE COUNTY BOARD OF SUPERVISORS, in their official capacity; SHARIE MILHEIRO, in her official capacity as Greenlee County Recorder

● Greenlee County Recorder's Office

Attorneys for: Defendant/Appellee

● Sharie Milheiro, Greenlee County Recorder's Office

Gary Griffith, Esq. (AZ Bar No. garygriffith)

Scott Adams, Esq. (AZ Bar No. SAdams)

Side 10. LA PAZ COUNTY BOARD OF SUPERVISORS, in their official capacity; RICHARD GARCIA, in his official capacity as La Paz County Recorder, Defendant/Appellee

(Litigant Group) LA PAZ COUNTY BOARD OF SUPERVISORS, in their official capacity; RICHARD GARCIA, in his official capacity as La Paz County Recorder

● La Paz County Recorder's Office

Attorneys for: Defendant/Appellee

● Richard Garcia, La Paz County Recorder's Office

Rachel F Shackelford, Esq. (AZ Bar No. 29161)

Side 11. MARICOPA COUNTY BOARD OF SUPERVISORS, in their official capacity; STEPHEN RICHER, in his official capacity as Maricopa County Recorder, Defendant/Appellee

(Litigant Group) MARICOPA COUNTY BOARD OF SUPERVISORS, in their official capacity; STEPHEN RICHER, in his official capacity as Maricopa County Recorder

● Maricopa County Recorder's Office

Attorneys for: Defendant/Appellee

● Stephen I Richer, Maricopa County Recorder's Office

Joseph Eugene La Rue, Esq. (AZ Bar No. 31348)

Jack O'Connor, Esq. (AZ Bar No. 30660)

Rosa Aguilar, Esq. (AZ Bar No. 37774)

Side 12. MOHAVE COUNTY BOARD OF SUPERVISORS, in their official capacity; LYDIA DURST, in her official capacity as Mohave County Recorder, Defendant/Appellee

(Litigant Group) MOHAVE COUNTY BOARD OF SUPERVISORS, in their official capacity; LYDIA DURST, in her official capacity as Mohave County Recorder

● Mohave County Recorder's Office

Attorneys for: Defendant/Appellee

● Lydia Durst, Mohave County Recorder's Office

Ryan Henry Esplin, Esq. (AZ Bar No. 29235)

Jason Mitchell, Esq. (AZ Bar No. jasonmitchell)

Side 13. NAVAJO COUNTY BOARD OF SUPERVISORS, in their official capacity; MICHAEL SAMPLE, in his official capacity as Navajo County Recorder, Defendant/Appellee

(Litigant Group) NAVAJO COUNTY BOARD OF SUPERVISORS, in their official capacity; MICHAEL SAMPLE, in his official capacity as Navajo County Recorder

● Navajo County Recorder's Office

Attorneys for: Defendant/Appellee

● Michael Sample, Navajo County Recorder's Office

Jason S Moore, Esq. (AZ Bar No. 19911)

Side 14. PIMA COUNTY BOARD OF SUPERVISORS, in their official capacity; GABRIELLA CÁZARESKELLY, in her official capacity as Pima County Recorder, Defendant/Appellee

(Litigant Group) PIMA COUNTY BOARD OF SUPERVISORS, in their official capacity; GABRIELLA CÁZARESKELLY, in her official capacity as Pima County Recorder

● Pima County Recorder's Office

Attorneys for: Defendant/Appellee

● Gabriella Cazares-Kelley, Pima County

Daniel S Jurkowitz, Esq. (AZ Bar No. 18428)

Ellen Ridge Brown, Esq. (AZ Bar No. 12329)

Javier Adalberto Gherna, Esq. (AZ Bar No. 35220)

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Side 15. PINAL COUNTY BOARD OF SUPERVISORS, in their official capacity; DANA LEWIS, in her official capacity as Pinal County Recorder, Defendant/Appellee

(Litigant Group) PINAL COUNTY BOARD OF SUPERVISORS, in their official capacity; DANA LEWIS, in her official capacity as Pinal County Recorder

- Pinal County Recorder's Office
- Dana Lewis, Pinal County Recorder's Office

Attorneys for: Defendant/Appellee
 Craig C Cameron, Esq. (AZ Bar No. 13176)
 Scott Matthew Johnson, Esq. (AZ Bar No. 31510)
 Jim Mitchell, Esq. (AZ Bar No. jimmitchell)
 Ian Daranyi, Esq. (AZ Bar No. iandaranyi)

Side 16. SANTA CRUZ COUNTY BOARD OF SUPERVISORS, in their official capacity; ANITA MORENO, in her official capacity as Santa Cruz County Recorder, Defendant/Appellee

(Litigant Group) SANTA CRUZ COUNTY BOARD OF SUPERVISORS, in their official capacity; ANITA MORENO, in her official capacity as Santa Cruz County Recorder

- Santa Cruz County Recorder's Office
- Anita Moreno, Santa Cruz County Recorder's Office

Attorneys for: Defendant/Appellee
 Kimberly J Hunley, Esq. (AZ Bar No. 19141)
 William Moran, Esq. (AZ Bar No. williammoran)
 Robert F May, Esq. (AZ Bar No. robertmay)

Side 17. YAVAPAI COUNTY BOARD OF SUPERVISORS, in their official capacity; MICHELLE M. BURCHILL, in her official capacity as Yavapai County Recorder, Defendant/Appellee

(Litigant Group) YAVAPAI COUNTY BOARD OF SUPERVISORS, in their official capacity; MICHELLE M. BURCHILL, in her official capacity as Yavapai County Recorder

- Yavapai County Recorder's Office
- Michelle Burchill, Yavapai County Recorder's Office

Attorneys for: Defendant/Appellee
 Thomas M Stoxen, Esq. (AZ Bar No. 14904)
 Michael J Gordon, Esq. (AZ Bar No. 21798)

Side 18. YUMA COUNTY BOARD OF SUPERVISORS, in their official capacity; RICHARD COLWELL, in his official capacity as Yuma County Recorder, Defendant/Appellee

(Litigant Group) YUMA COUNTY BOARD OF SUPERVISORS, in their official capacity; RICHARD COLWELL, in his official capacity as Yuma County Recorder

- Yuma County Recorder's Office
- Richard Colwell, Yuma County Superior Court

Attorneys for: Defendant/Appellee
 William J Kerekes, Esq. (AZ Bar No. 7073)
 Jessica Holzer, Esq. (AZ Bar No. 35093)

CASE STATUS

Apr 27, 2024.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2024-008720			Danielle J Viola, Trial		

9 PROCEEDING ENTRIES

1. 27-Apr-2024 FILED: ARCAP 10(c) Statement Designating the Case as an Expedited Election Matter; Certificate of Service; Exhibit A (Notice of Appeal); Exhibit B (Judgment Filed MCSC 4/26/2024) (Appellant Breckling)

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9 PROCEEDING ENTRIES

2. 29-Apr-2024 Appellant Breckling filed a Notice of Appeal in this expedited election matter on April 27, 2024, pursuant to Rule 10(g), Arizona Rules of Civil Appellate Procedure.
- In lieu of a telephonic scheduling conference, Court staff has consulted with Appellant, Defendant/Appellee Arturo Hernandez and representatives from the counties.
- Counsel for Cochise County has advised that the deadline to resolve this matter is May 7, 2024.
- IT IS ORDERED Cochise County shall file this information forthwith.
- IT IS FURTHER ORDERED if either party wishes to use transcripts, such party shall file authorized transcripts as soon as possible. If no authorized transcript can be prepared and filed timely, the parties are encouraged to stipulate to the pertinent facts or testimony or provide pertinent segments of unauthorized transcripts along with their opening and answering briefs.
- IT IS FURTHER ORDERED Appellant and Appellee shall file simultaneous briefs no later than noon on Thursday, May 2, 2024. No responsive briefs will be filed. The briefs shall be no more than 5000 words.
- IT IS FURTHER ORDERED that briefs will be in a legible 14-point font, double-spaced, and will include all arguments the parties wish to present to the Court. They may be filed in memorandum format (no tables of contents or authorities).
- IT IS FURTHER ORDERED that copies of all filings must be delivered as required under Rule 10(h).
- IT IS FURTHER ORDERED that in addition to filing briefs with the Clerk of the Supreme Court (with filing and service through AZTurboCourt) all filings are also to be sent by email to all the parties and court staff and to SACrtdocs@courts.az.gov when filed.
- This matter will be decided without oral argument. (Hon. John R. Lopez IV)
3. 29-Apr-2024 FILED: Notice of Filing Notice of Appeal; Certificate of Service; Exhibit A (Appellant Breckling)
4. 30-Apr-2024 FILED: Notice of Appearance and Notice of Cochise County's Ballot Printing Deadline; Certificate of Service (Appellee Cochise County)
5. 1-May-2024 FILED: Record
6. 2-May-2024 FILED: Brief of Defendant-Appellee Arturo Hernandez; Certificate of Service; Certificate of Compliance (Appellee Hernandez)
7. 2-May-2024 FILED: Joint Stipulations; Certificate of Service; Minute Entry (MCSC) Filed 4/26/24 (Appellant Breckling/Appellee Hernandez)
8. 2-May-2024 FILED: Appellant's Brief; Certificate of Service; Certificate of Compliance; Appellant's Appendix (Appellant Breckling)
9. 3-May-2024 RECEIPT No.: 2024-00098 ; \$280.00, Authorization: 8299722829631375, Applied to: LIANE BRECKLING - Class A Filing Fee (\$280.00) Paid for: LIANE BRECKLING - By nCourt LLC