

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 26-0154**

**MONTENEGRO et al. v. FONTES et al.**

**Appellate Case Information**

Case Filed: 26-Feb-2026

Case Closed:

**Dept/Composition**

**Side 1. STEVE MONTENEGRO, et al., Plaintiff/Appellant/Cross-Appellee**

(Litigant Group) MONTENEGRO et al.

- Steve Montenegro, Arizona House of Representatives
- Warren Petersen, Arizona State Senate

**Attorneys for: Plaintiff/Appellant/Cross-Appellee**

Brett William Johnson, Esq. (AZ Bar No. 21527)  
 Tracy Olson, Esq. (AZ Bar No. 34616)  
 Ryan Hogan, Esq. (AZ Bar No. 36169)  
 Charlene Anne Warner, Esq. (AZ Bar No. 37169)

**Side 2. ADRIAN FONTES, et al., Defendant/Appellee/Cross-Appellant**

(Litigant Group) FONTES

- Adrian P Fontes, Arizona Secretary of State

**Attorneys for: Defendant/Appellee/Cross-Appellant**

Karen J Hartman-Tellez, Esq. (AZ Bar No. 21121)

(Litigant Group) MAYES

- Kristin K Mayes, Arizona Attorney General's Office, Intervenor

**Attorneys for: Defendant/Appellee/Cross-Appellant**

Alexander W Samuels, Esq. (AZ Bar No. 28926)  
 Nathan Arrowsmith, Esq. (AZ Bar No. 31165)  
 Luci Danielle Davis, Esq. (AZ Bar No. 35347)

(Litigant Group) CITIZENS CLEAN ELECTION COMMISSION

- Citizens Clean Elections Commission

**Attorneys for: Defendant/Appellee/Cross-Appellant**

Mary R O'Grady, Esq. (AZ Bar No. 11434)  
 Eric M Fraser, Esq. (AZ Bar No. 27241)  
 Travis Charles Hunt, Esq. (AZ Bar No. 35491)  
 Alexandria Karpurk, Esq. (AZ Bar No. 37029)

(Litigant Group) VOTERS

- Voters' Right To Know

**Attorneys for: Defendant/Appellee/Cross-Appellant**

Jared G Keenan, Esq. (AZ Bar No. 27068)  
 Nicholas Ansel, Esq. (AZ Bar No. 38448)  
 David Kolker, Esq. (DC Bar No. 394558)  
 Tara Malloy, Esq. (DC Bar No. 988280)  
 Elizabeth Shimek, Esq. (WI Bar No. 1095937)

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2023-011834	Motion for Preliminary Injunction		Gregory Como, Authoring Judge of Order		

**OPEN DUE DATE**

**Answering/Cross-Opening Brief Due** **Due By:** Wednesday, June 17, 2026

[1 extension]

*Re: FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant/Cross-Appellee)*

**36 PROCEEDING ENTRIES**

- 26-Feb-2026 FILED: Motion to Suspend Rules, Accelerate Appeal, and Expedite Briefing Schedule for Appeal; Plaintiff's Notice of Appeal; Certificate of Service (Appellant/Cross-Appellee)
- 26-Feb-2026 ORDERED: Any response to the motion shall be filed by 03/03/2026. FURTHER IS ORDERED: Any reply shall be filed by 03/05/2026. The court will rule on the motion following expiration of the time for the response and reply. Hon Randall M Howe - Author
- 26-Feb-2026 FILED: Appellants' Notice of Filing Transcripts; Certificate of Service (Appellant/Cross-Appellee)
- 26-Feb-2026 FILED: Reporters Transcript - 12/13/2023 - Oral Argument (Michele Kaley) (Appellant/Cross-Appellee)
- 26-Feb-2026 FILED: Reporters Transcript - 01/22/2026- Preliminary Injunction Hearing (Michaela H. Davis) (Appellant/Cross-Appellee)
- 3-Mar-2026 FILED: Response to Motion to Suspend Rules, Accelerate Appeal, and Expedite Briefing Schedule for Appeal; Certificate of Service; Attachment 1 (Appellee/Cross-Appellant Citizens)

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7.	5-Mar-2026	FILED: Reply in Support of Motion to Suspend Rules, Accelerate Appeal, and Expedite Briefing Schedule for Appeal; Certificate of Service; Exhibits A - F (Appellants/Cross-Appellee)
8.	5-Mar-2026	FILED: ARCAP 9(e)(2) Notice; Certificate of Service; Exhibits A-B (Appellant/Cross-Appellee)
9.	9-Mar-2026	ORDERED: Motion to Suspend Rules, Accelerate Appeal, and Expedite Briefing Schedule for Appeal (Appellant) = DENIED without prejudice to any party filing a motion to accelerate after this appeal is at issue. FURTHER ORDERED: Denying the request for an expedited briefing schedule without prejudice to the parties and any amici filing briefs as quickly as they wish before the due dates. FURTHER ORDERED: Denying appellants' request to treat this appeal as a special action without prejudice to appellants filing a petition for special action. The court does not express an opinion on whether special action jurisdiction will be accepted. Hon Randall M Howe - Author
10.	13-Mar-2026	FILED: Notice of Appearance; Certificate of Service (Appellee/Cross-Appellant Mayes)
11.	25-Mar-2026	FILED: Record on Appeal: Combined Instruments/Minute Entries Exhibits: None
12.	27-Mar-2026	FILED: Appellate Clerk Notice re: Appellant's Fee Exempt/Appellee's Fees Exempt/Appellant's Case Management Statement/Brief Due
13.	30-Mar-2026	FILED: Settlement Conference Program Notice
14.	1-Apr-2026	ORDERED: amending the caption and docket in this appeal to reflect the cross-appeal. FURTHER ORDERED: staying this appeal until 4/24/26. FURTHER ORDERED: re-vesting jurisdiction in the Maricopa County Superior Court and authorizing that court to consider the pending motion to alter or amend judgment and motion for new trial. FURTHER ORDERED: directing appellants/cross-appellees to file a notice in this court with a copy of the ruling within 5 days after entry. FURTHER ORDERED: if a party wants this court to review any additional rulings, that party must file a timely amended notice of appeal or amended notice of cross-appeal. FURTHER ORDERED: if the superior court has not ruled on the motion by 4/24/26, appellants/cross-appellees must file a notice in this court regarding the status of the motion. FURTHER ORDERED: case management statement is due by 5/4/26, the cross-appeal case management statement is due by 5/14/26, and the opening brief is due by 5/26/26. Hon Randall M Howe - Author
15.	3-Apr-2026	FILED: Amended Appellate Clerk Notice Re: Appellee/Cross Appellant's Voters Rights Fee and Case Management Statement Due; Appellee/Cross Appellants Mayes, Citizens, Fontes Exempt and Cast Management Statement Due; Appellant's/Cross-Appellees Case Management Statement/Brief Due
16.	6-Apr-2026	FILED: Notice of Superior Court Order Denying Post-Judgment Motion; Certificate of Service; Courtesy Copy- Maricopa County Superior Court ME dated 04/06/2026; Courtesy Copy - Plaintiffs' Amended Notice of Appeal filed in Maricopa County Superior Court filed 04/06/2026 (Appellant/Cross-Appellee)
17.	7-Apr-2026	ORDERED: Lifting the stay of this appeal. Melina Brill ProTem Judge - Author
18.	8-Apr-2026	FILED: Case Management Statement; Certificate of Service (Appellant/Cross-Appellee)
19.	8-Apr-2026	FILED: Opening Brief; Certificate of Compliance; Certificate of Service (Appellant/Cross-Appellee)
20.	8-Apr-2026	FILED: Appendix in Support of Opening Brief; Certificate of Service (Appellant/Cross-Appellee)
21.	15-Apr-2026	FILED: Motion for Procedural Order Extending Time for Defendants to File Combined Answering and Cross-Opening Brief; Certificate of Service (Appellee/Cross-Appellant)
22.	15-Apr-2026	FILED: Response to Motion for Procedural Order Extending Time for Defendants to File Combined Answering and Cross-Opening Brief; Certificate of Service (Appellant/Cross-Appellee)
23.	16-Apr-2026	FILED: Reply in Support of Motion for Procedural Order Extending Time for Defendants to File Combined Answering and Cross-Opening Brief; Certificate of Service (Appellee/Cross-Appellant)
24.	16-Apr-2026	FILED: Supplemented Superior Court e-Record with Revised Index of Record
25.	16-Apr-2026	ORDERED: Motion for Procedural Order Extending Time for Defendants to File Combined Answering and Cross-Opening Brief (Appellee/Cross-Appellant) = GRANTED. Due date EXTENDED from Monday, 05-18-2026 to Wednesday, 06-17-2026 (combined answering/cross-opening brief). If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Cross-Appeal case management statement remains due 5/14/26. Hon Randall M Howe - Author
26.	17-Apr-2026	RECEIPT No.: 2026-00503 ; \$330.00, Check Number: 2430, Applied to: VOTERS - Class A Filing Fee (\$330.00) Paid for: Arizona Center for Law in the Public Interest - By
27.	22-Apr-2026	FILED: Notice of Appearance; Certificate of Service (Appellee/Cross-Appellant Voters)
28.	22-Apr-2026	FILED: Notice of Receipt of Complete Application (Elizabeth Shimek); Certificate of Good Standing (Elizabeth Shimek, David Kolker, Tara Malloy); Verified Application to the State Bar of Arizona (David Kolker, Tara Malloy, Elizabeth Shimek); Copy of Order filed in Trial Court: Order re: Motion to Associate Counsel Pro Hac Vice filed in the Superior Court of Maricopa County 9/25/23 (Appellee/Cross-Appellant Voters)
29.	5-May-2026	FILED: Stipulation for Procedural Order Reallocating Word Count; Certificate of Service (Appellee/Cross-Appellant)

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**36 PROCEEDING ENTRIES**

30. 7-May-2026 ORDERED: Stipulation for Procedural Order Reallocating Word Count (Appellee/Cross-Appellant) = GRANTED. Melina Brill ProTem Judge - Author
31. 7-May-2026 FILED: Case Management Statement (Appellee/Cross-Appellants Secretary of State, Attorney General, Citizens Clean Elections, Voters' Right to Know)
32. 7-May-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record
33. 8-May-2026 ORDERED: That Arizona Citizens Clean Elections Commission must serve all parties with the case management statement and file a certificate of service by 05/18/2026. If the certificate is not timely filed, the court may impose sanctions. Melina Brill ProTem Judge - Author
34. 8-May-2026 FILED: Certificate of Service of Case Management Statement (Appellee/Cross-Appellant Citizens Clean Elections)
35. 29-May-2026 ORDERED: The case management statements must be filed by 06/12/2026. The combined answering/cross-opening brief remains due on 06/17/2026. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Patrick Philippe Lacroix ProTem Judge - Author
36. 1-Jun-2026 ORDERED: Vacating the 06/12/2026 due date for the Appellees/Cross-Appellants to file case management statements as unnecessary. Patrick Philippe Lacroix ProTem Judge - Author