

Arizona Supreme Court

Civil Election Appeal

CV-24-0201-AP/EL

DALTON-WEBB v STEPHANIE MONEY et al

Appellate Case Information

Case Filed: 13-Aug-2024

Case Closed:

Dept/Composition

Side 1. ELI DALTON-WEBB, Plaintiff/Appellant

(Litigant Group) ELI DALTON-WEBB

- Eli Dalton-Webb

PRO SE

Side 2. STEPHANIE MONEY, et al., Defendant/Appellee

(Litigant Group) STEPHANIE MONEY, et al.

- Stephanie Money
Cochise County Board of Supervisors
Marisol Renteria, Cochise County Elections Department
David W Stevens, Cochise County Recorder's Office

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: COC, S0200CV202400439

3 PROCEEDING ENTRIES

- 1. 13-Aug-2024 FILED: Notice of Appeal (Appellant Dalton-Webb, Pro Se)
2. 6-Sep-2024 FILED: Record
3. 13-Sep-2024 Appellant/Plaintiff Dalton-Webb, pro se, filed an election challenge against Stephanie Money, candidate for the Cochise County Community College District Board. The trial court dismissed the challenge on August 7, 2024 after an evidentiary hearing. On August 9, Appellant filed a timely notice of appeal in the superior court that indicated he was appealing to this Court. However, Cochise County sent the appeal to the Court of Appeals. On August 16, 2024, Plaintiff filed a "Correction: Clerk of the Court" directed to the Cochise County Clerk of Court advising that the appeal was to this Court. On September 4, 2024, the Clerk of the Supreme Court received the Index of Record and the record was received on September 9, 2024.

The process for presenting an expedited election appeal to this Court is set forth in Rule 10 of the Rules of Civil Appellate Procedure which requires, "Within one business day after filing the notice of appeal in the superior court, the appellant must file with the appropriate appellate clerk: (1) A copy of the notice of appeal that shows the superior court clerk's file-stamped date; (2) A statement designating the case as an 'Expedited Election Matter' and providing the names and contact information, including email addresses if available, of counsel for each party and of any self-represented party; and (3) A copy of the superior court's judgment that the appellant is appealing." ARCAP 10(c). The appellant also "must file a written request that the appellate court set an initial telephonic scheduling conference to determine a schedule for expedited proceedings." ARCAP 10(g). Although Appellant has not filed these pleadings with the Court, A.R.S. §16-351(A) provides, "The supreme court shall hear and render a decision on the appeal promptly" in an appeal of a candidate challenge. Sua sponte,

IT IS ORDERED Appellant shall file an opening brief of no more than 5,000 words no later than September 26, 2024.

IT IS FURTHER ORDERED Appellee shall file a responsive brief of no more than 5,000 words no later than October 7, 2024.

IT IS FURTHER ORDERED Appellant may file a reply brief of no more than 1,500 words no later than October 14, 2024.

IT IS FURTHER ORDERED the 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), and must otherwise conform with the requirements of ARCAP 13.

IT IS FURTHER ORDERED 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 as required by ARCAP Rule 10(h) and to SACrtDocs@courts.az.gov when filed. This matter will be considered without oral argument. (Hon. Robert Brutinel)