

Arizona Supreme Court
Civil Petition for Review - Appeal

CV-25-0033-PR

GOLDWATER v PHOENIX et al

Appellate Case Information

Case Filed: 11-Feb-2025
Case Closed:

Dept/Composition

En Banc

Hon. Ann A. Scott Timmer
Hon. John R Lopez
Hon. Clint Bolick
Hon. James P Beene
Hon. William G Montgomery
Hon. Kathryn H. King
Hon. Rebecca White Berch

Side 1. BARRY GOLDWATER INSTITUTE FOR PUBLIC POLICY RESEARCH CENTER, Plaintiff/Appellant

(Litigant Group) BARRY GOLDWATER INSTITUTE FOR PUBLIC POLICY RESEARCH CENTER

- Goldwater Institute

Attorneys for: Plaintiff/Appellant

Jonathan Matthew Riches, Esq. (AZ Bar No. 25712)
Scott Day Freeman, Esq. (AZ Bar No. 19784)
Parker Dee Jackson, Esq. (AZ Bar No. 37844)

Side 2. CITY OF PHOENIX, et al., Defendant/Appellee

(Litigant Group) CITY OF PHOENIX, et al.

- City of Phoenix
- Jeff Barton
- Denise Archibald
- Sheree Rucker

Attorneys for: Defendant/Appellee

Stephen B Coleman, Esq. (AZ Bar No. 21715)
Jon M Paladini, Esq. (AZ Bar No. 15230)

Side 3. AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF ARIZONA; PODER IN ACTION, Amicus Curiae

(Litigant Group) AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF ARIZONA; PODER IN ACTION

- American Civil Liberties Foundation of Arizona
- Poder in Action

Attorneys for: Amicus Curiae

Lauren Beall, Esq. (AZ Bar No. 35147)

Side 4. LEAGUE OF ARIZONA CITIES AND TOWNS, Amicus Curiae

(Litigant Group) LEAGUE OF ARIZONA CITIES AND TOWNS

- League of Arizona Cities and Towns

Attorneys for: Amicus Curiae

Nancy L Davidson, Esq. (AZ Bar No. 29991)
Frank J Cassidy, Esq. (AZ Bar No. 7358)

CASE STATUS

Nov 24, 2025...Submitted
Sep 9, 2025...At Issue
Sep 9, 2025...Oral Argument Granted
Aug 22, 2025...Continued
Feb 11, 2025...Pending

| PREDECESSOR CASE(S) | Cause/Charge/Class | Judgment/Sentence | Judge, Role <Comments> | Trial | Dispo |
|-------------------------|----------------------------|-------------------|---|-------|-------|
| 1 CA 1 CA-CV 24-0176 | | | | | |
| ↳ MAR CV2023-003250 | Special Action, Injunction | | Danielle J Viola, Authoring Judge of Order Comments: (none) | | |

34 PROCEEDING ENTRIES

- 11-Feb-2025 FILED: Appellant's Unopposed Motion for Procedural Order Extending Time to File a Petition for Review; Certificate of Service (Appellant Goldwater)
- 18-Feb-2025 An "Unopposed Motion for Procedural Order Extending Time to File a Petition for Review" (Appellant Goldwater Institute) having been filed on February 11, 2025,

IT IS ORDERED granting a first extension of time to file the petition for review on or before May 2, 2025. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by May 2, 2025. (Tracie K. Lindeman, Clerk)
- 2-May-2025 FILED: Plaintiff/Appellant's Petition for Review; Certificate of Service; Certificate of Compliance; Opinion (Appellant Goldwater Institute)
- 2-May-2025 FILED: Appendix; Certificate of Service (Appellant Goldwater Institute)
- 6-May-2025 FILED: Record from CofA: Electronic Record

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6. 7-May-2025 FILED: Appellees' Unopposed Motion for Procedural Order Extending Time to Respond to Appellant's Petition for Review; Certificate of Service (Appellees City of Phoenix, et al.)
7. 8-May-2025 RECEIPT No.: 2025-00129 ; \$330.00, Authorization: 8478264035309705, Applied to: BARRY GOLDWATER INSTITUTE FOR PUBLIC POLICY RESEAR - Class A Filing Fee (\$330.00) Paid for: BARRY GOLDWATER INSTITUTE FOR PUBLIC POLICY RESEARCH CENTER - By nCourt LLC
8. 8-May-2025 An "Unopposed Motion for Procedural Order Extending Time to Respond to Appellant's Petition for Review" (Appellees State of Arizona, et al.) having been filed on May 7, 2025,

IT IS ORDERED granting a first extension of time to file the response to petition for review on or before July 2, 2025. No further extensions of time shall be granted absent extraordinary circumstances. (Tracie K. Lindeman, Clerk)
9. 2-Jul-2025 FILED: Defendants/Respondents' Opposition to Petitioner's Petition for Review; Certificate of Service; Certificate of Compliance (Appellees City of Phoenix, et al.)
10. 2-Jul-2025 FILED: Appendix; Certificate of Service (Appellees City of Phoenix, et al.)
11. 23-Jul-2025 FILED: Brief of Amici Curiae Poder in Action and American Civil Liberties Union of Arizona; Certificate of Service; Certificate of Compliance (Amici Poder in Action, et al.)
12. 23-Jul-2025 FILED: Motion for Leave to File Amici Curiae Brief; Certificate of Service (Amici Poder in Action, et al.)
13. 23-Jul-2025 A "Motion for Leave to File Amici Curiae Brief" (Amici Poder in Action, et al.) and the brief of amici curiae were filed on July 23, 2025. After consideration,

IT IS ORDERED the "Motion for Leave to File Amici Curiae Brief" is granted. The brief shall be filed as of July 23, 2025. (Aaron C. Nash, Clerk)
14. 12-Aug-2025 FILED: Defendants/Appellees' Unopposed Motion for Procedural Order Extending Time to Respond to Amicus Brief of Poder in Action and American Civil Liberties Union of Arizona; Certificate of Service (Appellees City of Phoenix, et al.)
15. 14-Aug-2025 A "Defendants/Appellees' Unopposed Motion for Procedural Order Extending Time to Respond to Amicus Brief of Poder in Action and American Civil Liberties Union of Arizona" (Appellees City of Phoenix, et al.) having been filed on August 12, 2025,

IT IS ORDERED granting an extension of time to file the response to amicus brief on or before August 19, 2025. No further extensions of time will be granted absent extraordinary circumstances. (Aaron C. Nash, Clerk)
16. 19-Aug-2025 FILED: Defendants/Respondents' Response to Brief of Amici Curiae Poder in Action and American Civil Liberties Union of Arizona; Certificate of Service; Certificate of Compliance (Appellees City of Phoenix, et al.)
17. 22-Aug-2025 ORDERED: Plaintiff/Appellant's Petition for Review = CONTINUED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant Goldwater Institute) = CONTINUED.
18. 9-Sep-2025 ORDERED: Plaintiff/Appellant's Petition for Review = GRANTED.

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than September 29, 2025. Any amicus briefs are due on or before October 14, 2025 and any responses to amicus briefs are due on or before November 3, 2025. Any amicus briefs or responses may not exceed 20 pages in length.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant Goldwater Institute) = CONTINUED.

Justice Cruz did not participate in the determination of this matter.
19. 16-Sep-2025 FILED: Appellant's Unopposed Motion for Procedural Order Extending Briefing Schedule; Certificate of Service (Appellant Goldwater)
20. 17-Sep-2025 NOTICE OF ORAL ARGUMENT: Set for Monday, November 24, 2025, at 10:15 A.M. (20 minutes per side)
21. 17-Sep-2025 Justice Maria Elena Cruz is recused and will not participate in the above captioned matter. Therefore, pursuant to Article 6, Section 3 of the Arizona Constitution,

IT IS ORDERED that the Honorable Rebecca White Berch, Justice (Retired) of the Arizona Supreme Court, is designated to sit on the case until it is finally determined. (Hon. Ann A. Scott Timmer)

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22. 17-Sep-2025 An "Appellant's Unopposed Motion for Procedural Order Extending Briefing Schedule" (Appellant Goldwater) having been filed on September 16, 2025,
- IT IS ORDERED granting "Appellant's Unopposed Motion for Procedural Order Extending Briefing Schedule" as follows: Parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than October 14, 2025. Any amicus briefs are due on or before October 24, 2025, and any responses to amicus briefs are due on or before November 10, 2025. Any amicus briefs or responses may not exceed 20 pages in length. All supplemental briefs shall include a table of citations that alphabetically arranges and indexes the cases, statutes and other authorities cited in the brief and refers to the pages of the brief on which each citation of authority appears. (Hon. Ann A. Scott Timmer)
23. 17-Sep-2025 FILED: Notice of Acknowledgment of Oral Argument (Parker Jackson will argue) (Appellant Goldwater)
24. 10-Oct-2025 FILED: Notice of Acknowledgment of Oral Argument (Jon M. Paladini will argue) (Appellee)
25. 14-Oct-2025 FILED: Defendants'/Respondents' Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellees City of Phoenix, et al.)
26. 14-Oct-2025 FILED: Plaintiff/Appellant's Supplemental Brief; Certificate of Service; Certificate of Compliance (Appellant Goldwater)
27. 20-Oct-2025 FILED: Motion for Leave to Participate in the November 24, 2025, Oral Argument; Certificate of Service (Amici Poder in Action, et al.)
28. 22-Oct-2025 On October 20, 2025, Amici Poder in Action, et al., filed a "Motion for Leave to Participate in the November 24, 2025, Oral Argument." The motion represents that counsel for Appellant Goldwater has agreed to share their allotment of time at oral argument. After consideration,
- IT IS ORDERED granting the motion. Counsel for Appellant Goldwater and counsel for Amici Poder in Action, et al. may share the allotted 20 minutes of time for oral argument. (Hon. Ann A. Scott Timmer)
29. 24-Oct-2025 FILED: Brief of Amicus Curiae League of Arizona Cities and Towns in Support of Defendants/Appellees City of Phoenix, et al.; Certificate of Service; Certificate of Compliance (Amicus League of AZ)
30. 24-Oct-2025 FILED: Consent of all Parties (Amicus League of AZ)
31. 5-Nov-2025 FILED: Record From CofA: Entire Electronic Record
32. 10-Nov-2025 FILED: Plaintiff/Appellant's Response to Brief of Amicus Curiae League of Cities and Towns; Certificate of Service; Certificate of Compliance (Appellant Goldwater)
33. 17-Nov-2025 FILED: Notice of Withdrawal of Counsel; Certificate of Service (Amici Poder in Action, et al.)
34. 24-Nov-2025 ORAL ARGUMENT - Submitted for decision en banc (Attorneys who argued: Parker Dee Jackson, Laren Beall, John Paladini)