

Arizona Supreme Court
Civil Election Appeal

CV-26-0145-AP/EL

MCCLURE v RING et al

Appellate Case Information

Case Filed: 30-Apr-2026 Archive on: 6-May-2036 (planned)
Case Closed: 6-May-2026

Dept/Composition

Side 1. WILLIAM HOYT MCCLURE, Appellant

(Litigant Group) WILLIAM HOYT MCCLURE

- William Hoyt McClure PRO SE

Side 2. TAMI RING, Appellee

(Litigant Group) TAMI RING

- Tami Ring PRO SE

Side 3. DEBIE OGDEN, et al., Appellee

(Litigant Group) DEBIE OGDEN, et al.

- Debie Ogden
 - City of Bullhead City
- Attorneys for: Appellee
Garnet K Emery, Esq. (AZ Bar No. 13526)

Side 4. LYDIA HENRY, et al., Appellee

(Litigant Group) LYDIA HENRY, et al.

- Lydia Henry
 - Travis Lingenfelter
 - Rich Lettman
 - Sonny Borrelli
 - Don Martin
 - Ron Gould
 - Allen Tempert
 - Laura Skubal
- Attorneys for: Appellee
William Davis, Esq. (AZ Bar No. 37869)
Jason Mitchell, Esq. (AZ Bar No. 35878)

CASE STATUS

May 6, 2026.....Case Closed

May 6, 2026.....Decision Rendered

PREDECESSOR CASE (S)

MOH S8015CV202600867

Cause/Charge/Class

Judgment/Sentence

Judge, Role <Comments>

Trial

Dispo

CASE DECISION

06-May-2026 ORDER

* Plaintiff/Appellant William Hoyt McClure ("Challenger"), pro se, filed an election challenge against Tami Ring, candidate for City Council, Bullhead City. The trial court dismissed the challenge on April 16, 2026. The court order explained that A.R.S.

Filed: 06-May-2026

Mandate:

Decision Disposition

Dismissed

John Lopez

6 PROCEEDING ENTRIES

1. 30-Apr-2026 FILED: Record from MCSC

2. 4-May-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record

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6 PROCEEDING ENTRIES

3. 6-May-2026 Plaintiff/Appellant William Hoyt McClure ("Challenger"), pro se, filed an election challenge against Tami Ring, candidate for City Council, Bullhead City. The trial court dismissed the challenge on April 16, 2026. The court order explained that A.R.S. § 16-351(A) provides that a challenger "shall specify in the action the petition number, line number and basis for the challenge for each signature being challenged. Failure to specify this information shall result in the dismissal of the court action." The distribution on the order indicates that the order was hand delivered to Challenger. In the Notice of Appeal, Challenger concedes that the Clerk delivered the "Dismissal with Prejudice" to Challenger on April 16, 2026.
- On April 22, 2026, Challenger filed a "Notice of Appeal and Motion to Substitute Corrected Record."
- The appeal was first transmitted to and accepted by the Court of Appeals, Division One, on April 28, 2026. On May 4, 2026, the Clerk of Court for Mohave County notified the Court of Appeals of the misfiling and clarified that the matter will proceed in this Court.
- "Election contests are purely statutory, unknown to the common law, and are neither actions at law nor suits in equity, but are special proceedings." Griffin v. Buzard, 86 Ariz. 166, 168 (1959) (internal quotations omitted). "Election challenges must be initiated and completed within an abbreviated time frame." McClung v. Bennett, 225 Ariz. 154, 156 ¶ 7 (2010); see also A.R.S. § 16-351. "The decision is appealable only to the supreme court, and notice of appeal shall be filed within five days after the decision of the superior court in the action." A.R.S. § 16-351(A). The statutory language allowing "five days" to appeal a superior court judgment to this Court means five calendar days. Bohart v. Hanna, 213 Ariz. 480, 482 ¶ 6 (2006) (finding a July 6, 2006 challenge to a June 30, 2006 order untimely). The Notice of Appeal was therefore due no later than April 21, 2026.
- Also, courts presume the validity of nominating petitions that have been circulated, signed, and filed, and the party challenging the petition has the burden of proving by clear and convincing evidence that a signature was not that of a qualified elector. McClung, 225 Ariz. at 156 ¶ 7 (citing Jenkins v. Hale, 218 Ariz. 561, 562-63 ¶ 8 (2008)). It is incumbent on the challenger to identify in the complaint the "petition number, line number and basis for the challenge for each signature being challenged." § 16-351(A). Failure to do so will result in the dismissal of the action. Id.
- Challenger does not, in his Notice of Appeal, dispute that the Verified Complaint does not include "the petition number, line number and basis for the challenge for each signature being challenged," see § 16-351(A), but contends that the Clerk's Office "scrambled the page order of the Verified Petitions and Objections." He does not indicate that the filed complaint is missing any list by the petition number, page number, and signature line. To remedy this, he "formally moves this Court to accept the 100% Signature Analysis with Pink Highlighting as the definitive and corrected record." However, even his copy of the Petition Sheets with pink highlighting fails to identify any statutory basis to disqualify the signatures. At most, they contend certain signatures include addresses with "same hand," "not legible," "no zip," and the like. However, the lack of a zip code does not inherently disqualify a candidate if an official can verify eligibility of a voter using an incomplete address. McKenna v. Soto, 250 Ariz. 469, 474 ¶ 26 (2021). Likewise, Challenger raises no argument that the signers were not registered voters or qualified electors. See A.R.S. § 16-321. And he presents no indication that his complaint included this information. His complaint only includes arguments in "Exhibit 3" but does not identify the signatures he contends were in violation of the statutes.
- A panel consisting of Vice Chief Justice Lopez and Justices Beene, King, and Cruz having considered this matter,
- IT IS ORDERED dismissing the appeal as untimely. Also, for the reasons explained above, the Court agrees with the trial court that Challenger's complaint fails to meet the statutory requirements for a nomination ballot challenge under § 16-351(A). (Hon. John R Lopez IV)
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4. 9-May-2026 FILED: Combined Motion: Statement in Expedited Election Matter & Emergency Motion to Vacate Dismissal; (Duplicate) Combined Motion: Statement in Expedited Election Matter & Emergency Motion to Vacate Dismissal; (Duplicate) Combined Motion: Statement in Expedited Election Matter & Emergency Motion to Vacate Dismissal(Plaintiff/Appellant McClure, Pro Se)
5. 9-May-2026 FILED: (Duplicate) Combined Motion: Statement in Expedited Election Matter & Emergency Motion to Vacate Dismissal; (Duplicate) Combined Motion: Statement in Expedited Election Matter & Emergency Motion to Vacate Dismissal; (Duplicate) Combined Motion: Statement in Expedited Election Matter & Emergency Motion to Vacate Dismissal (Plaintiff/Appellant McClure, Pro Se)
6. 13-May-2026 On May 9, 2026, Plaintiff/Appellant McClure ("Challenger"), pro se, filed a "Combined Motion: Statement in Expedited Election Matter & Emergency Motion to Vacate Dismissal." Challenger contends that his Notice of Appeal was timely filed on April 22, 2026 because the Notice of Appeal was due no later than five days after May 4, 2026, which is when the Clerk of the Superior Court for Mohave County filed a "Notice to Court of Appeals of Clerical Misfiling and Intent to File in Arizona Supreme Court" ("Notice to Court of Appeals") However, as the Notice to Court of Appeals points out, "[t]he misfiling was inadvertent and has no impact on the timeliness or substantive processing of the appeal." (Emphasis added.) Also, A.R.S. § 16-351(A) clearly provides that "[t]he decision is appealable only to the supreme court, and notice of appeal shall be filed within five days after the decision of the superior court in the action."
- As this Court's May 6, 2026 Order explains, an appeal of the April 16, 2026 trial court's dismissal was due no later than April 21, 2026. Also, as this Court explained in the May 6, 2026 Order, "the Court agrees with the trial court that Challenger's complaint fails to meet the statutory requirements for a nomination ballot challenge under § 16-351(A)." Therefore,
- IT IS ORDERED denying Challenger's "Combined Motion: Statement in Expedited Election Matter & Emergency Motion to Vacate Dismissal."
(Hon. Kathryn H. King)
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