

SUPREME COURT OF ARIZONA

ROBERT BRANCH, an individual, ) Arizona Supreme Court  
 ) No. CV-20-0124-AP/EL  
Plaintiff/Appellee, )  
 ) Maricopa County  
v. ) Superior Court  
 ) No. CV2020-004789  
BOYD DUNN, et al., )  
 )  
Defendants/Appellants. ) **FILED 05/13/2020**  
 )  
\_\_\_\_\_ )

**DECISION ORDER**

The Court, by a panel consisting of Chief Justice Brutinel, Vice Chief Justice Timmer, Justice Lopez and Justice Beene, has considered the briefs of the parties, the trial court's minute entry order, and the relevant statutes and case law in this expedited election matter.<sup>1</sup> The Court rules as follows:

**IT IS ORDERED** affirming the trial court.

To be placed on the ballot, a candidate must submit nomination petitions signed by a sufficient number of qualified electors as set forth in A.R.S. § 16-322. The Candidate had timely notice of the challenges to the signatures on his petitions in each of the two verified complaints. Therefore, his claims that the doctrines of estoppel, laches and due process preclude the combining of the results from both of the cases fail because the Candidate had timely and proper notice of each challenge to each signature as required by A.R.S. § 16-351(A), and because as a result of the challenges, the Candidate did not have a sufficient number of valid signatures to be placed on the ballot.

**IT IS FURTHER ORDERED** that the defendant/appellee County Boards of Supervisors and County Recorders shall remove Boyd Dunn from the Republican ballot for the office of the corporation commission for the August 4, 2020 primary election. The requested injunction is granted.

DATED this 13th day of May, 2020.

\_\_\_\_\_  
/s/  
ROBERT BRUTINEL  
Chief Justice

<sup>1</sup> Justice Bolick has recused himself from participating in this matter.

TO:

David J Cantelme  
D Aaron Brown  
Kory A Langhofer  
Thomas J Basile  
Kelly Gillilan-Gibson  
Kara Karlson  
Dustin D Romney  
Michael B Whiting  
Jason S Moore  
Jefferson R Dalton  
Jeremy O Ford  
Ryan Henry Esplin  
Kenneth A Angle  
Larson Scott Bennett  
Barbara LaWall  
Daniel S Jurkowitz  
Allen Hatch Quist  
Brian J Palmer  
Thomas M Stoxen  
Matthew Black  
Britt W Hanson  
Christine Roberts  
Ryan Norton Dooley  
William J Kerekes  
George E Silva  
Kimberly J Hunley  
Rose Winkeler  
Mark D Byrnes  
Emily M Craiger  
Joseph Eugene La Rue  
Hon Roger E Brodman  
Hon Jeff Fine  
Aaron Nash  
Alicia Moffatt