SUPREME COURT OF ARIZONA

GORDON	GILLESPY,	individually,)	Arizona Supreme Court
)	No. CV-20-0130-AP/EL
	Pla	Plaintiff/Appellant,		
)	Yavapai County
		V.)	Superior Court
)	No. P1300CV 202000397
STEVEN	L. CAROS,	individually,)	
et al.,	,)	
)	
	Defendants/Appellees.)	FILED 06/02/2020
)	

ORDER

The Court, by a panel consisting of Justice Bolick, Justice Gould, 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. The Court rules as follows:

Under A.R.S. § 9-232(A), a candidate for city council must reside within the city or town for at least one year proceeding the election. Pursuant to Prescott Valley Town Code § 2-03-010 and the enabling statute, A.R.S. § 9-821.01, a candidate who wins a majority at the primary election "is declared elected to the office for which the person is a candidate, effective as of the date of the general election."

When the primary effectively functions as the general election, the residency requirement refers to the date of the primary election. See Morrissey v. Garner, 461 P.3d 428 (Ariz. 2020). Arizona Supreme Court No. CV-20-0130-AP/EL Page 2 of 2

Accordingly, Steven Caros does not meet the residency requirement to be a candidate for Prescott Valley Town Council under Prescott Valley Town Code § 2-03-010 and A.R.S. § 9-232(A).

IT IS ORDERED reversing the trial court decision.

IT IS FURTHER ORDERED that defendants/appellees County Board of Supervisors and County Recorder shall remove Steven Caros from the ballot for the office of the Prescott Valley Town Council for the August 4, 2020 primary election.

DATED this 2nd day of June, 2020.

/s/ CLINT BOLICK Justice

TO:

Timothy A LaSota Anthony L Isamu Perez Thomas M Stoxen J Ivan Legler Hon. David L Mackey Hon. Donna McQuality Aaron Nash Alicia Moffatt pm