

SUPREME COURT OF ARIZONA

LISA JAMES, a qualified elector) Arizona Supreme Court
and taxpayer; MERILEE FOWLER, a) No. CV-20-0226-AP/EL
qualified elector and taxpayer;)
TODD GRIFFITH, a qualified) Maricopa County
elector and taxpayer; DR. EDWARD) Superior Court
GOGEK, a qualified elector and) No. CV2020-008460
taxpayer; PAUL SMITH, a)
qualified elector and taxpayer;)
DR. DALE GUTHRIE, a qualified)
elector and taxpayer; and SALLY)
SCHINDEL, a qualified elector)
and taxpayer)
)
Plaintiffs/Appellants,)
) **FILED 08/20/2020**
v.)
)
KATIE HOBBS, in her capacity as)
Arizona Secretary of State,)
)
Defendant/Appellee,)
)
and)
)
SMART AND SAFE ARIZONA, a)
political action committee,)
)
Real Party in Interest/Appellee.)
)
_____)

O R D E R

The Court en banc has considered the briefs and authorities in this expedited election appeal concerning the "Smart and Safe Arizona Act" (the "Initiative"), serial number I-23-2020, a ballot initiative proposing to legalize recreational marijuana. The trial court concluded the 100-word summary accurately described the proposition under A.R.S. § 19-102(A) and denied Petitioners' request to enjoin the Secretary of State from including the Initiative on the 2020 general election ballot.

Upon consideration, the Court unanimously affirms the judgment of the trial court.

IT IS ORDERED affirming the trial court's judgment denying injunctive relief. The Secretary of State will proceed under Title 19, Arizona Revised Statutes, to include the ballot initiative in the general election publicity pamphlet and to place it on the general election ballot.

IT IS FURTHER ORDERED denying Appellee Smart and Safe Arizona's Motion to Dismiss and request for attorneys' fees.

DATED this 20th day of August, 2020.

_____/s/_____
ROBERT BRUTINEL
Chief Justice

TO:

John D Shedegg
Eric E Lynch
Kara Karlson
Dustin Romney
Roopali H Desai
D Andrew Gaona
Marvin C Ruth
Kristen M Yost
Hon. James D Smith
Hon. Jeff Fine
Kory A Langhofer
Thomas J Basile
Sean Gallagher
Timothy LaSota
David Euchner
Jared G Keenan