

General Docket
United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 17-10448		Docketed: 10/20/2017	
USA v. Joseph Arpaio		Termed: 02/27/2020	
Appeal From: U.S. District Court for Arizona, Phoenix			
Fee Status: Paid			
Case Type Information:			
1) criminal			
2) Other			
3) null			
Originating Court Information:			
District: 0970-2 : 2:16-cr-01012-SRB-1			
Court Reporter: Linda Schroeder			
Trial Judge: Susan R. Bolton, District Judge			
Date Filed: 08/19/2016			
Date Order/Judgment:	Date Order/Judgment EOD:	Date NOA Filed:	Date Rec'd COA:
10/19/2017	10/19/2017	10/19/2017	10/19/2017
Prior Cases:			
17-71094	Date Filed: 04/17/2017	Date Disposed: 05/18/2017	Disposition: Denied - Judge Order
Current Cases:			
None			

<p>UNITED STATES OF AMERICA Plaintiff - Appellee,</p>	<p>Christopher G. Caldwell, Attorney Direct: 213-712-1390 [COR LD NTC Ind Prosecutor] 633 West Fifth Street Suite 1710 Los Angeles, CA 90071</p> <p>John D. Keller Direct: 202-598-2231 [COR LD NTC Assist US Attorney] DOJ - U.S. DEPARTMENT OF JUSTICE Suite 12100 1400 New York Avenue, NW Washington, DC 20005</p> <p>James I. Pearce, Trial Attorney Direct: 202-532-4991 [COR NTC Government] DOJ - U.S. Department of Justice room # 1314 950 Pennsylvania Avenue, NW Washington, DC 20530</p>
<p>UNITED STATES OF AMERICA, SPECIAL PROSECUTOR Plaintiff - Appellee,</p>	<p>Christopher G. Caldwell, Attorney Direct: 213-712-1390 [COR LD NTC Ind Prosecutor] (see above)</p>
<p>v.</p>	
<p>JOSEPH M. ARPAIO Defendant - Appellant,</p>	<p>Mark D. Goldman, Attorney Direct: 480-626-8483 [COR NTC Retained] Goldman & Zwillinger, PLLC Firm: (480) 626-8483 17851 North 85th Street Suite 175 Scottsdale, AZ 85255</p> <p>Larry E. Klayman, Esquire, Attorney Direct: 310-595-0800</p>

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UNITED STATES OF AMERICA; UNITED STATES OF AMERICA, SPECIAL PROSECUTOR,

Plaintiffs - Appellees,

v.

JOSEPH M. ARPAIO,

Defendant - Appellant.

- 10/20/2017 [1](#) DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. Reporters Transcript required: Yes. Sentence imposed: N/A. Transcript ordered by 11/09/2017. Transcript due 12/11/2017. Appellant briefs and excerpts due by 01/18/2018 for Joseph M. Arpaio. Appellee brief due 02/20/2018 for United States of America. Appellant's optional reply brief is due 21 days after service of the answering brief. [10625317] (WL) [Entered: 10/20/2017 10:37 AM]
12 pg, 320.22 KB
- 10/26/2017 [2](#) Filed (ECF) notice of appearance of James I. Pearce for Appellee USA. Date of service: 10/26/2017. [10631872] [17-10448] (Pearce, James) [Entered: 10/26/2017 04:31 AM]
2 pg, 77.53 KB
- 10/26/2017 3 Added attorney James I. Pearce for USA, in case 17-10448. [10631881] (JJF) [Entered: 10/26/2017 06:59 AM]
- 10/30/2017 [4](#) Filed clerk order (Deputy Clerk: DJV): A review of the record suggests that this court may lack jurisdiction over the appeal because the district court's order, entered on October 19, 2017, denying appellant's motion for vacatur and dismissal with prejudice is not appealable as a final judgment or an order that comes within the collateral order doctrine. See 28 U.S.C. § 1291; Midland Asphalt Corp. v. United States, 489 U.S. 794, 798 (1989) (stating that finality requirement generally "prohibits appellate review until after conviction and imposition of sentence"). Within 21 days after the date of this order, appellant shall move for voluntary dismissal of the appeal or show cause why it should not be dismissed for lack of jurisdiction. If appellant elects to show cause, a response may be filed within 10 days after service of the memorandum. Failure to comply with this order may result in the dismissal of the appeal for failure to prosecute. See 9th Cir. R. 42-1. Briefing is suspended pending further order of the court. [10636188] (WL) [Entered: 10/30/2017 01:26 PM]
2 pg, 269.07 KB
- 11/08/2017 [5](#) Submitted (ECF) Amicus brief for review and filed Motion to become amicus curiae. Submitted by The Protect Democracy Project, Inc.; Free Speech for People; Coalition to Preserve, Protect and Defend; and Roderick and Solange MacArthur Justice Center. Date of service: 11/08/2017. [10647802] [17-10448]-- [COURT UPDATE: Attached corrected PDFs of motion and brief. 11/09/2017 by RY] (Cabou, Jean-Jacques) [Entered: 11/08/2017 11:23 AM]
58 pg, 204.42 KB
- 11/09/2017 6 Entered appearance of Amici Curiae - Pending Protect Democracy Project, Inc., Free Speech For People, Coalition to Preserve, Protect and Defend and Roderick and Solange MacArthur Justice Center. [10649232] (KWG) [Entered: 11/09/2017 10:17 AM]
- 11/20/2017 [7](#) Filed (ECF) Appellant Joseph M. Arpaio response opposing motion ([5](#) Brief Submitted for Review (ECF Filing), [5](#) Motion (ECF Filing), [5](#) Motion (ECF Filing) motion to become amicus). Date of service: 11/20/2017. [10661183] [17-10448] (Wilenchik, Dennis) [Entered: 11/20/2017 02:01 PM]
5 pg, 37.02 KB
- 11/20/2017 [8](#) Filed (ECF) Appellant Joseph M. Arpaio response to Court order dated 10/30/2017. Date of service: 11/20/2017. [10661236] [17-10448] (Wilenchik, Dennis) [Entered: 11/20/2017 02:15 PM]
9 pg, 55.46 KB
- 11/22/2017 [9](#) Filed order (A. WALLACE TASHIMA, WILLIAM A. FLETCHER and RICHARD C. TALLMAN) The motion for leave to participate as amici curae, filed by The Protect Democracy Project, Inc., Free Speech For People, Coalition to Preserve, Protect and Defend, and the Roderick and Solange MacArthur Justice Center, (Docket Entry No. [5](#)) is granted in part and denied in part. The Clerk shall file the proposed brief of amici curae at Docket Entry No. [5](#). Amici curae may also file a supplemental brief addressing the merits of this appeal that complies with Federal Rule of Appellate Procedure 29. The emergency request for the appointment of a special prosecutor under Fed. R. Crim. P. 42(a)(2) to "notice a cross-appeal of the District Court's Order upholding validity of the Pardon and terminating the contempt prosecution," contained within the brief at Docket Entry No. [5](#), is denied. Within 21 days after the date of this order, appellee United States of America shall file a statement indicating whether it intends to enter an appearance and file an answering brief in this appeal from the district court's November 19, 2017 order. In appellee United States of America's statement, in the event it is the position of the Department of Justice not to defend the November 19 order, appellee shall also provide its position on whether this court should appoint counsel to represent the government's interests on appeal and defend the district court's order. Appellant and Amici may file an optional reply within 7 days after service of appellee's statement. The request for the appointment of counsel to "defend the District Court's Order denying [appellant's] request for vacatur," contained within the brief at Docket Entry No. [5](#), shall be addressed by separate order. Proceedings are held in abeyance pending further order of this court. [10664619] (ME) [Entered: 11/22/2017 12:14 PM]
2 pg, 198.57 KB
- 11/22/2017 [10](#) Filed clerk order: The amicus brief [5](#) submitted by Coalition to Preserve, Protect and Defend, Free Speech For People, Protect Democracy Project, Inc. and Roderick and Solange MacArthur Justice Center is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate CM/ECF. [10665004] (KT) [Entered: 11/22/2017 02:24 PM]
2 pg, 188.44 KB
- 11/28/2017 11 Received 7 paper copies of Amicus Brief [5](#) filed by Coalition to Preserve, Protect and Defend, et al.. [10669040] (SD) [Entered: 11/28/2017 10:43 AM]
- 12/13/2017 [12](#) Filed (ECF) Appellee USA response to Court order dated 11/22/2017. Date of service: 12/13/2017. [10688578] [17-10448] (Pearce, James) [Entered: 12/13/2017 08:12 AM]
3 pg, 84.22 KB

- 12/20/2017 [13](#) Filed (ECF) Amici Curiae Protect Democracy Project, Inc., Roderick and Solange MacArthur Justice Center, Free Speech For People and Coalition to Preserve, Protect and Defend reply to response to Court order dated 11/22/2017. Date of service: 12/20/2017. [10697523] [17-10448] (Cabou, Jean-Jacques) [Entered: 12/20/2017 12:24 PM]
7 pg, 29.98 KB
- 12/20/2017 [14](#) Filed (ECF) Appellant Joseph M. Arpaio reply to response to Court Order dated 11/22/2017. Date of service: 12/20/2017. [10698029] [17-10448]--[COURT UPDATE: Edited docket text to reflect correct filing type. 12/20/2017 by RY] (Wilenchik, Dennis) [Entered: 12/20/2017 03:07 PM]
10 pg, 57.92 KB
- 12/21/2017 15 COURT DELETED INCORRECT ENTRY. Notice about deletion sent to case participants registered for electronic filing. Correct Entry: [\[18\]](#). Original Text: Filed (ECF) Erwin Chemerinsky, Michael E. Tigar, and Jane B. Tigar Motion to become amicus curiae. Date of service: 12/21/2017. [10699467] [17-10448] (Riordan, Dennis) [Entered: 12/21/2017 12:06 PM]
- 12/21/2017 [18](#) Submitted (ECF) Amicus brief for review and filed Motion to become amicus curiae. Submitted by Erwin Chemerinsky, Michael E. Tigar, and Jane B. Tigar. Date of service: 12/21/2017. [10704677] --[COURT ENTERED FILING to correct entries [15], [16] and [17] .] (TYL) [Entered: 12/27/2017 12:18 PM]
40 pg, 285.67 KB
- 12/22/2017 16 COURT DELETED INCORRECT ENTRY. Notice about deletion sent to case participants registered for electronic filing. Correct Entry: [\[18\]](#). Original Text: Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by Erwin Chemerinsky, Michael E. Tigar, and Jane B. Tigar Supporting Denial of Vacatur. Date of service: 12/22/2017. [10701519] [17-10448] (Riordan, Dennis) [Entered: 12/22/2017 12:19 PM]
- 12/26/2017 17 COURT DELETED INCORRECT ENTRY. Notice about deletion sent to case participants registered for electronic filing. Correct Entry: [\[18\]](#). Original Text: Filed (ECF) Erwin Chemerinsky, Michael E. Tigar, and Jane B. Tigar Motion to become amicus curiae. Date of service: 12/26/2017. [10703941] [17-10448] (Riordan, Dennis) [Entered: 12/26/2017 05:11 PM]
- 12/27/2017 19 Entered appearance of Amici Curiae - Pending Erwin Chemerinsky, Michael E. Tigar and Jane Tigar. [10704886] (KT) [Entered: 12/27/2017 01:44 PM]
- 01/02/2018 [20](#) Filed (ECF) Appellant Joseph M. Arpaio response to motion ([\[18\]](#) Motion (ECF Filing), [\[18\]](#) Motion (ECF Filing) motion to become amicus). Date of service: 01/02/2018. [10710244] [17-10448] (Wilenchik, Dennis) [Entered: 01/02/2018 07:12 PM]
6 pg, 41.98 KB
- 01/18/2018 [21](#) Filed (ECF) Appellant Joseph M. Arpaio Motion to file oversized brief. Date of service: 01/18/2018. [10729817] [17-10448] (Wilenchik, Dennis) [Entered: 01/18/2018 06:29 PM]
7 pg, 248.81 KB
- 01/18/2018 22 STRICKEN PER ORDER [\[47\]](#). ~~Submitted (ECF) Opening Brief for review. Submitted by Appellant Joseph M. Arpaio. Date of service: 01/18/2018. [10729819] [17-10448] (Wilenchik, Dennis) [Entered: 01/18/2018 06:31 PM]~~
- 01/18/2018 [23](#) Submitted (ECF) excerpts of record. Submitted by Appellant Joseph M. Arpaio. Date of service: 01/18/2018. [10729821] [17-10448] --[COURT UPDATE: Attached corrected excerpts of record. 1/19/2018 by TYL] (Wilenchik, Dennis) [Entered: 01/18/2018 06:34 PM]
847 pg, 18.08 MB
- 01/18/2018 [24](#) Filed (ECF) Appellant Joseph M. Arpaio Motion to transmit exhibit. Date of service: 01/18/2018. [10729825] [17-10448] (Wilenchik, Dennis) [Entered: 01/18/2018 06:38 PM]
3 pg, 121.77 KB
- 04/17/2018 [25](#) Filed Order for PUBLICATION (A. WALLACE TASHIMA, WILLIAM A. FLETCHER and RICHARD C. TALLMAN) (Dissent by Judge Tallman) This case is on appeal from the district court's denial of Defendant-Appellant's request for vacatur of his conviction for criminal contempt. The validity of the district court's denial will be addressed by the merits panel assigned to this case. We address only the question of whether to appoint a special prosecutor to defend the district court's decision in light of the United States' letter informing this Court that "[t]he government does not intend to defend the district court's order." For the reasons discussed below, we will appoint a special prosecutor to provide briefing and argument to the merits panel. (SEE ORDER FOR FULL TEXT) We will appoint special counsel and address all other pending motions by separate order. SO ORDERED. [10839081] (RMM) [Entered: 04/17/2018 07:23 AM]
15 pg, 111.95 KB
- 06/01/2018 [26](#) Filed Order for PUBLICATION (Sidney R. Thomas, Chief Judge and En Banc Coordinator): A judge has made a sua sponte request for a vote on whether to rehear en banc the published order dated April 17, 2018 by a motions panel of this Court appointing a special prosecutor to defend the district court's denial of defendant Arpaio's request for vacatur of his criminal contempt conviction. United States v. Arpaio, 887 F.3d 979 (9th Cir. 2018). Therefore, pursuant to General Order 5.4(c)(3), the parties are requested to file simultaneous briefs setting forth their respective positions on whether or not the order should be reheard en banc. Specifically, the parties are directed to address the question as to whether the Court has the authority, either pursuant to Fed. R. Crim. P. 42(a)(2) or under its inherent authority, to appoint a special prosecutor under the circumstances presented by this case. The briefs are not to exceed 7,000 words and shall be filed within 21 days of the date of this order. Amici are permitted, but not required, to file a brief within 21 days of the date of this order not to exceed 7,000 words stating their positions on whether the order should be reheard en banc. Parties or Amici who are registered for appellate electronic case filing must file the response electronically without submission of paper copies. Parties or Amici who are not

- registered appellate electronic case filing filers must file 50 paper copies. [10892715] (AF) [Entered: 06/01/2018 08:43 AM]
- 06/07/2018 27 Entered appearance of Amicus Curiae - Pending Jonathan N. Foster. [10901961] (SML) [Entered: 06/08/2018 11:35 AM]
- 06/08/2018 [28](#)
4 pg, 492.95 KB Received original and 0 copies of Amicus Curiae - Pending Jonathan N. Foster brief in 3 pages. Served on: 06/04/2018. Major deficiencies: motion to become amicus curiae is required. Notified prospective amicus curiae. [10901978] (SML) [Entered: 06/08/2018 11:38 AM]
- 06/22/2018 29 COURT DELETED INCORRECT ENTRY. Notice about deletion sent to case participants registered for electronic filing. Correct Entry: [31](#). Original Text: Filed (ECF) Appellee USA response to Court order dated 06/01/2018. Date of service: 06/22/2018. [10918184] [17-10448] (Pearce, James) [Entered: 06/22/2018 04:46 AM]
- 06/22/2018 [30](#)
20 pg, 109.39 KB Submitted (ECF) Amicus Brief for review. Submitted by Amici Curiae Protect Democracy Project, Inc., Coalition to Preserve, Protect and Defend, Free Speech For People and Roderick and Solange MacArthur Justice Center. Date of service: 06/22/2018. [10918894] [17-10448]--[COURT UPDATE: Attached corrected brief. 06/25/2018 by SLM] (Cabou, Jean-Jacques) [Entered: 06/22/2018 12:30 PM]
- 06/22/2018 [31](#)
22 pg, 215.65 KB Submitted (ECF) Supplemental Brief for review. Submitted by Appellee USA. Date of service: 06/22/2018. [10919385] --[COURT ENTERED FILING to correct entry [29] .] (TYL) [Entered: 06/22/2018 03:04 PM]
- 06/22/2018 32 COURT DELETED INCORRECT ENTRY. Notice about deletion sent to case participants registered for electronic filing. Brief and motion refiled using correct filing type in Entry: [36](#). Original Text: Filed (ECF) Certain Members of the Congress of the United States Motion to become amicus curiae. Date of service: 06/22/2018. [10919397] [17-10448] (Scharff, Spencer) [Entered: 06/22/2018 03:10 PM]
- 06/22/2018 [33](#)
1 pg, 181.77 KB Filed clerk order: The supplemental brief [31](#) submitted by USA is filed. No paper copies are required at this time. [10919417] (SML) [Entered: 06/22/2018 03:14 PM]
- 06/22/2018 [34](#)
11 pg, 913.23 KB Submitted (ECF) Supplemental Brief for review. Submitted by Appellant Joseph M. Arpaio. Date of service: 06/22/2018. [10919494] [17-10448]--[COURT UPDATE: Attached corrected PDF of brief. 06/26/2018 by RY] (Wilenchik, Dennis) [Entered: 06/22/2018 03:34 PM]
- 06/22/2018 [36](#)
18 pg, 216.96 KB Submitted (ECF) Amicus brief for review and filed Motion to become amicus curiae. Submitted by Certain Members of the Congress of the United States. Date of service: 06/22/2018. [10921996] [17-10448]--[COURT UPDATE: Backdated entry to reflect original submission date (06/22/2018). 06/26/2018 by RY] (Scharff, Spencer) [Entered: 06/26/2018 09:36 AM]
- 06/25/2018 [35](#)
1 pg, 184.38 KB Filed clerk order: The amicus brief [30](#) submitted by Coalition to Preserve, Protect and Defend, Free Speech For People, Protect Democracy Project, Inc. and Roderick and Solange MacArthur Justice Center is filed. No paper copies are required at this time. [10921603] (SML) [Entered: 06/25/2018 04:49 PM]
- 06/26/2018 [37](#)
1 pg, 39.78 KB Filed order (A. WALLACE TASHIMA, WILLIAM A. FLETCHER and RICHARD C. TALLMAN) The motion by Certain Members of Congress for leave to file an amicus curiae brief in "Support of a Rule 42 Special Prosecutor Appointment" (Dkt. [36](#)), is GRANTED. The amicus brief, received on June 22, 2018, is ordered FILED, and shall be circulated to the full court. [10922194] --[COURT UPDATE: To edit docket and replaced with corrected order; resent NDA - 06/26/2018 by HH] (WL) [Entered: 06/26/2018 10:34 AM]
- 06/26/2018 38 Entered appearance of Amicus Curiae - Pending Certain Members of Congress. [10922338] (SML) [Entered: 06/26/2018 11:05 AM]
- 06/26/2018 [39](#)
1 pg, 182.83 KB Filed clerk order: The amicus brief [36](#) submitted by Certain Members of Congress is filed. No paper copies are required at this time. [10922763] (SML) [Entered: 06/26/2018 01:40 PM]
- 06/26/2018 [40](#)
1 pg, 181.76 KB Filed clerk order: The supplemental brief [34](#) submitted by Joseph M. Arpaio is filed. No paper copies are required at this time. [10922774] (SML) [Entered: 06/26/2018 01:43 PM]
- 10/10/2018 [41](#)
27 pg, 138.78 KB Filed Order for PUBLICATION (A. WALLACE TASHIMA, WILLIAM A. FLETCHER and RICHARD C. TALLMAN) (Concurrence by Judge W. Fletcher; Statement by Judge Tashima; Dissent by Judge Callahan; Statement by Judge Tallman) A judge of the court sua sponte called for a vote on whether to rehear en banc the published order in this case dated April 17, 2018. A vote was taken, and a majority of the non-recused active judges of the court failed to vote for en banc rehearing. Fed. R. App. P. 35(f). Rehearing en banc is DENIED. [11040129]--[Edited: attached corrected PDF of Order (typo corrected). 08/22/2019 by SLM] (RMM) [Entered: 10/10/2018 07:16 AM]
- 10/15/2018 [42](#)
3 pg, 52.83 KB Filed order (A. WALLACE TASHIMA, WILLIAM A. FLETCHER and RICHARD C. TALLMAN, concurrence) On April 17, 2018, our Court issued an order authorizing the appointment of a "special prosecutor to provide briefing and argument to the merits panel" that will hear the appeal of former sheriff Joe Arpaio from the district court's denial of his motion to vacate his conviction for contempt of court. United States v. Arpaio, 887 F.3d 979, 980 (9th Cir. 2018). On October 10, 2018, our Court denied en banc rehearing of that order. United States v. Arpaio, No. 17-10448, 2018 WL 4904770 (9th Cir. Oct. 10, 2018). Pursuant to our April 17, 2018 order, we hereby appoint Christopher G. Caldwell as special prosecutor for purposes of this appeal. The special prosecutor will be limited to the functions a government attorney would have

performed in connection with Arpaio's appeal in this Court had the government been willing to perform those functions. The Clerk shall amend the docket to reflect that Christopher G. Caldwell Boies, Schiller and Flexner 725 S. Figueroa Street Los Angeles, CA 90017 (213) 629-9040 is added as additional counsel of record for appellee United States of America. Within 14 days after the date of this order, special prosecutor Caldwell shall register on the Court's website for electronic filing/noticing with the Case Management Electronic Case Files (CM/ECF) system if he is not already registered. A briefing schedule will be established by separate order. [11047329] (WL) [Entered: 10/15/2018 03:05 PM]

- 10/15/2018 [43](#) Added attorney Christopher G. Caldwell for USA, in case 17-10448. [11047342] (WL) [Entered: 10/15/2018 03:09 PM]
- 10/22/2018 [44](#)
5 pg, 102.93 KB Filed (ECF) Appellee USA Motion to stay the mandate. Includes a stay of briefing schedule. Date of service: 10/22/2018. [11056285] [17-10448] --[COURT UPDATE: Updated docket text to reflect content of filing. 10/23/2018 by TYL] (Pearce, James) [Entered: 10/22/2018 06:50 PM]
- 10/25/2018 [45](#)
2 pg, 195.67 KB Filed order (A. WALLACE TASHIMA, WILLIAM A. FLETCHER and RICHARD C. TALLMAN) We have received appellee's October 22, 2018 "motion to stay the mandate and the briefing schedule." To the extent that appellee requests this court stay the issuance of the mandate in this appeal, such request is unnecessary. Because proceedings in this appeal remain ongoing, there is no mandate to stay. To the extent that appellee requests this court stay the briefing schedule for this appeal, the request is granted (Docket Entry No. [44](#)). Within 90 days after the date of this order, or within 7 days after the Solicitor General's determination whether to file a petition for writ of certiorari from this court's April 17, 2018 and October 15, 2018 orders, whichever occurs first, appellee shall submit a status report, or file a motion for the appropriate relief. Failure to file a timely report or motion in response to this order may result in a termination of the stay of proceedings. Briefing is stayed pending further order of this court. [11060905] (OC) [Entered: 10/25/2018 04:30 PM]
- 01/02/2019 [46](#)
3 pg, 87.96 KB Filed (ECF) Appellee USA status report (as required by Court order dated 10/25/2018). Date of service: 01/02/2019 [11138524] [17-10448] (Pearce, James) [Entered: 01/02/2019 10:46 AM]
- 01/04/2019 [47](#)
2 pg, 196.19 KB Filed order (A. WALLACE TASHIMA, WILLIAM A. FLETCHER and RICHARD C. TALLMAN) We have received appellee's January 2, 2019 status report stating that "the Solicitor General determined that the government will not seek certiorari in the Supreme Court." Accordingly, the stay of proceedings in this court is lifted. The October 30, 2017 order to show cause is discharged. The motion of Erwin Chemerinski, Michael E. Tigar, and Jane B. Tigar to participate as amicus curiae (Docket Entry No. [18](#)) and the response (Docket Entry No. [20](#)) are referred to the panel assigned to decide the merits of this appeal. Appellant's motion to file an oversize brief (Docket Entry No. [21](#)) is denied. The Clerk shall strike the opening brief at Docket Entry No. [22](#). By February 19, 2019 appellant shall file an opening brief that complies with the length limits set forth in 9th Cir. R. 32-1. The answering brief is due March 21, 2019. The optional reply brief is due within 21 days after service of the answering brief. The motion to transmit a physical exhibit (Docket Entry No. [24](#)) will be addressed by separate order. [11142360] (JBS) [Entered: 01/04/2019 03:43 PM]
- 02/19/2019 [48](#)
59 pg, 673.67 KB Submitted (ECF) Opening Brief for review. Submitted by Appellant Joseph M. Arpaio. Date of service: 02/19/2019. [11200004] [17-10448]--[COURT UPDATE: Attached corrected PDF of brief. 02/21/2019 by RY] (Wilenchik, Dennis) [Entered: 02/19/2019 03:48 PM]
- 02/21/2019 [49](#)
2 pg, 191.02 KB Filed clerk order: The opening brief [48](#) submitted by Joseph M. Arpaio is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. Cover color: blue. The Court has reviewed the excerpts of record [23](#) submitted by Joseph M. Arpaio. Within 7 days of this order, filer is ordered to file 4 copies of the excerpts in paper format securely bound on the left side, with white covers. The paper copies shall be submitted to the principal office of the Clerk. [11203185] (SML) [Entered: 02/21/2019 03:10 PM]
- 02/27/2019 [50](#) Filed (ECF) Streamlined request for extension of time to file Answering Brief by Appellee USA. New requested due date is 04/22/2019. [11208926] [17-10448] (Pearce, James) [Entered: 02/27/2019 04:12 AM]
- 02/27/2019 [51](#) **Streamlined request [50] by Appellee USA to extend time to file the brief is approved. Amended briefing schedule: Appellee brief due 04/22/2019 for United States of America. The optional reply brief is due 21 days from the date of service of the answering brief.** [11209766] (Witt, Dusty) [Entered: 02/27/2019 01:18 PM]
- 03/01/2019 [52](#) Filed 4 paper copies of excerpts of record [23](#) in 4 volume(s) filed by Appellant Joseph M. Arpaio. [11212770] (SML) [Entered: 03/01/2019 10:58 AM]
- 03/01/2019 [53](#) Received 7 paper copies of Opening Brief [48](#) filed by Joseph M. Arpaio. [11213345] (DB) [Entered: 03/01/2019 02:42 PM]
- 04/11/2019 [54](#)
2 pg, 84.41 KB Filed (ECF) Appellee USA Correspondence: Response brief to be filed by the United States. Date of service: 04/11/2019 [11260577] [17-10448] (Pearce, James) [Entered: 04/11/2019 10:44 AM]
- 04/22/2019 [55](#) Submitted (ECF) Answering Brief for review. Submitted by Appellee USA. Date of service: 04/22/2019.

- 34 pg, 277.43 KB [11272819] [17-10448] (Pearce, James) [Entered: 04/22/2019 04:48 PM]
- 04/22/2019 [56](#) Submitted (ECF) Answering Brief for review. Submitted by Appellee USA, Special Prosecutor. Date of service: 04/22/2019. [11272966] [17-10448] --[COURT UPDATE: Updated docket text to reflect correct party filer. 4/24/2019 by TYL]--[Edited: Attached corrected PDF of brief. 04/24/2019 by RY] (Caldwell, Christopher) [Entered: 04/22/2019 11:48 PM]
- 71 pg, 461.32 KB
- 04/22/2019 [57](#) Submitted (ECF) excerpts of record. Submitted by Appellee USA, Special Prosecutor. Date of service: 04/22/2019. [11272967] [17-10448] --[COURT UPDATE: Updated docket text to reflect correct party filer. 4/24/2019 by TYL] (Caldwell, Christopher) [Entered: 04/22/2019 11:50 PM]
- 542 pg, 18.95 MB
- 04/24/2019 58 Entered appearance of Appellee United States of America, Special Prosecutor. [11275174] (TYL) [Entered: 04/24/2019 11:04 AM]
- 04/24/2019 59 Terminated Christopher G. Caldwell for USA in 17-10448 [11275299] (TYL) [Entered: 04/24/2019 11:38 AM]
- 04/24/2019 [60](#) Filed clerk order: The answering brief [55](#) submitted by USA is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. Cover color: red. The paper copies shall be submitted to the principal office of the Clerk. [11275337] (SML) [Entered: 04/24/2019 11:48 AM]
- 2 pg, 190.64 KB
- 04/24/2019 [61](#) Filed clerk order: The answering brief [56](#) submitted by USA, Special Prosecutor is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. Cover color: red. The Court has reviewed the excerpts of record [57](#) submitted by USA, Special Prosecutor. Within 7 days of this order, filer is ordered to file 4 copies of the excerpts in paper format securely bound on the left side, with white covers. The paper copies shall be submitted to the principal office of the Clerk. [11275346] (SML) [Entered: 04/24/2019 11:51 AM]
- 2 pg, 191.04 KB
- 04/26/2019 62 Received 7 paper copies of Answering Brief [55](#) filed by USA. [11278699] (DB) [Entered: 04/26/2019 11:45 AM]
- 04/29/2019 [63](#) Filed (ECF) Amici Curiae Coalition to Preserve, Protect and Defend, Free Speech For People, Protect Democracy Project, Inc. and Roderick and Solange MacArthur Justice Center Motion for miscellaneous relief [Motion for Leave for Additional Parties to Join Brief of Amici Curiae]. Date of service: 04/29/2019. [11281130] [17-10448] (Cabou, Jean-Jacques) [Entered: 04/29/2019 04:42 PM]
- 4 pg, 72.24 KB
- 04/29/2019 [64](#) Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by L.TRIBE;M. REDISH;L. FRIEDMAN;W. RICH;CITIZENS FOR RESPONSIBILITY & ETHICS IN WASHINGTON;COALITION TO PRESERVE, PROTECT & DEFEND;FREE SPEECH FOR PEOPLE;MOVEON;THE PROTECT DEMOCRACY PROJECT;REPUBLICANS FOR THE RULE OF LAW; RODERICK&SOLANGE MACARTHUR JUSTIC. Date of service: 04/29/2019. [11281152] [17-10448] (Cabou, Jean-Jacques) [Entered: 04/29/2019 04:52 PM]
- 49 pg, 338.96 KB
- 04/29/2019 [65](#) Submitted (ECF) Amicus brief for review and filed Motion to become amicus curiae. Submitted by Certain Members of the Congress of the United States. Date of service: 04/29/2019. [11281191] [17-10448] --[COURT UPDATE: Attached corrected motion. 5/1/2019 by TYL] (Scharff, Spencer) [Entered: 04/29/2019 05:25 PM]
- 25 pg, 347.89 KB
- 05/01/2019 66 Filed 4 paper copies of excerpts of record [57](#) in 2 volume(s) filed by Appellee USA, Special Prosecutor. [11283246] (SML) [Entered: 05/01/2019 11:14 AM]
- 05/01/2019 67 Deleted Duplicate Entry. Notice about deletion sent to case participants registered for electronic filing. Correct Entry: [38](#). Original Text: Entered appearance of Amicus Curiae - Pending Certain Members of Congress. [11283507] (SML) [Entered: 05/01/2019 01:18 PM]
- 05/01/2019 68 Received 7 paper copies of Answering Brief [56](#) filed by USA, Special Prosecutor. [11283880] (DB) [Entered: 05/01/2019 03:52 PM]
- 05/08/2019 [69](#) Filed clerk order (Deputy Clerk: LAB): The motion for additional parties to join in the brief of amici curae (Docket Entry No. [63](#)) and motion for leave to file an amicus curiae brief (Docket Entry No. [65](#)) are referred to the panel assigned to hear the merits of this appeal. The previously established briefing schedule remains in effect. [11290628] (OC) [Entered: 05/08/2019 11:38 AM]
- 1 pg, 94.54 KB
- 05/09/2019 70 Filed (ECF) notice of appearance of Larry Elliot Klayman for Appellant Joseph M. Arpaio. Date of service: 05/09/2019. (Party previously proceeding without counsel: No) [11292042] [17-10448] (Klayman, Larry) [Entered: 05/09/2019 11:30 AM]
- 05/09/2019 71 Added attorney Larry E. Klayman for Joseph M. Arpaio, in case 17-10448. [11292071] (JFF) [Entered: 05/09/2019 11:45 AM]
- 05/13/2019 [72](#) Submitted (ECF) Reply Brief for review. Submitted by Appellant Joseph M. Arpaio. Date of service: 05/13/2019. [11295773] [17-10448] (Wilenchik, Dennis) [Entered: 05/13/2019 04:01 PM]
- 31 pg, 376.41 KB

- 05/13/2019 [73](#) Filed clerk order: The reply brief [\[72\]](#) submitted by Joseph M. Arpaio is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. Cover color: gray. The paper copies shall be submitted to the principal office of the Clerk. [11295909] (SML) [Entered: 05/13/2019 04:44 PM]
2 pg, 190.57 KB
- 05/14/2019 [74](#) Filed (ECF) Appellant Joseph M. Arpaio response opposing motion ([\[65\]](#) Motion (ECF Filing), [\[65\]](#) Motion (ECF Filing) motion to become amicus). Date of service: 05/14/2019. [11296585] [17-10448] (Klayman, Larry) [Entered: 05/14/2019 11:24 AM]
13 pg, 161.11 KB
- 05/15/2019 [75](#) Filed clerk order (Deputy Clerk: HG): Appellant's unopposed motion pursuant to 9th Cir. R. 27-14 (Docket Entry No. [\[24\]](#)) to submit to this Court an audio CD, which was admitted as an exhibit at trial but is not electronically available on the district court docket, is granted. Counsel shall submit four copies of the exhibit within seven days after the date of this order. [11298715] (OC) [Entered: 05/15/2019 01:41 PM]
1 pg, 95.67 KB
- 05/16/2019 76 Received 7 paper copies of Reply Brief [\[72\]](#) filed by Joseph M. Arpaio. [11299826] (SD) [Entered: 05/16/2019 10:46 AM]
- 05/16/2019 [77](#) Filed (ECF) Amicus Curiae - Pending Certain Members of Congress reply to response (). Date of service: 05/16/2019. [11300019] [17-10448] (Scharff, Spencer) [Entered: 05/16/2019 12:05 PM]
5 pg, 163.7 KB
- 05/16/2019 78 This case is being considered for an upcoming oral argument calendar in San Francisco

Please review the San Francisco sitting dates for September 2019 and the 2 subsequent sitting months in that location at http://www.ca9.uscourts.gov/court_sessions. If you have an unavoidable conflict on any of the dates, please file [Form 32](#) within 3 business days of this notice using the CM/ECF filing type **Response to Case Being Considered for Oral Argument**. Please follow the form's [instructions](#) carefully.

When setting your argument date, the court will try to work around unavoidable conflicts; the court is not able to accommodate mere scheduling preferences. You will receive notice that your case has been assigned to a calendar approximately 10 weeks before the scheduled oral argument date.

If the parties wish to discuss settlement before an argument date is set, they should jointly request referral to the mediation unit by filing a letter **within 3 business days of this notice**, using CM/ECF (**Type of Document**: File Correspondence to Court; **Subject**: request for mediation).[11300266] (AW) [Entered: 05/16/2019 01:51 PM]

- 05/17/2019 [79](#) Filed (ECF) Attorney Mr. James I. Pearce for Appellee USA response to notice for case being considered for oral argument. Date of service: 05/17/2019. [11301083] [17-10448] (Pearce, James) [Entered: 05/17/2019 09:43 AM]
1 pg, 691.61 KB
- 05/20/2019 [80](#) Filed (ECF) Attorney Mr. Christopher G. Caldwell for Appellee USA, Special Prosecutor response to notice for case being considered for oral argument. Date of service: 05/20/2019. [11302831] [17-10448] (Caldwell, Christopher) [Entered: 05/20/2019 12:22 PM]
1 pg, 103.39 KB
- 05/20/2019 81 Received Appellant Joseph M. Arpaio's 4 BLANK CDs labeled "Exhibit 45 (in reference to Doc 24)." Deficiency: CDs are blank. Within 7 days of this entry, appellant shall submit 4 replacement copies of the audio exhibit ordered on 05/15/2019 at entry [\[75\]](#). 9th Cir. R. 25-5(g). Sent to deficiency shelf in Docketing. [11303494] (LA) [Entered: 05/20/2019 04:13 PM]
- 05/21/2019 [82](#) Filed (ECF) Attorney Spencer Garrett Scharff, Esquire for Amicus Curiae Certain Members of Congress and Amicus Curiae - Pending Certain Members of Congress response to notice for case being considered for oral argument. Date of service: 05/21/2019. [11303775] [17-10448] (Scharff, Spencer) [Entered: 05/21/2019 07:58 AM]
1 pg, 691.32 KB
- 05/23/2019 83 Filed 4 copies of CDs containing Exhibit 45 filed by Appellant Joseph M. Arpaio. Sent to Records. [11307706] (SML) [Entered: 05/23/2019 02:39 PM]
- 06/14/2019 84 This case is being considered for an upcoming oral argument calendar in San Francisco

Please review the San Francisco sitting dates for October 2019 and the 2 subsequent sitting months in that location at http://www.ca9.uscourts.gov/court_sessions. If you have an unavoidable conflict on any of the dates, please file [Form 32](#) within 3 business days of this notice using the CM/ECF filing type **Response to Case Being Considered for Oral Argument**. Please follow the form's [instructions](#) carefully.

When setting your argument date, the court will try to work around unavoidable conflicts; the court is not able to accommodate mere scheduling preferences. You will receive notice that your case has been assigned to a calendar approximately 10 weeks before the scheduled oral argument date.

If the parties wish to discuss settlement before an argument date is set, they should jointly request referral to the mediation unit by filing a letter **within 3 business days of this notice**, using CM/ECF (**Type of Document**: File Correspondence to Court; **Subject**: request for mediation).[11332657][17-10448] (AW) [Entered: 06/14/2019 04:51 PM]

- 06/18/2019 [85](#) Filed (ECF) Attorney Mr. Christopher G. Caldwell for Appellee USA, Special Prosecutor response to notice for case being considered for oral argument. Date of service: 06/18/2019. [11335695] [17-10448] (Caldwell, Christopher) [Entered: 06/18/2019 12:23 PM]
1 pg, 102.76 KB
- 07/10/2019 86 Added Attorney(s) Noah A. Messing, Ronald A. Fein for party(s) Amici Curiae Free Speech For People, Protect Democracy Project, Inc., Coalition to Preserve, Protect and Defend, Roderick and Solange MacArthur Justice Center, in case 17-10448. [11359616] (LA) [Entered: 07/10/2019 02:34 PM]
- 07/10/2019 87 Entered appearance of Amici Curiae - Pending Laurence H. Tribe, Martin H. Redish, Lawrence Friedman, William D. Rich, Citizens for Responsibility and Ethics in Washington, MoveOn, and Republicans for the Rule of Law. [11359659] (LA) [Entered: 07/10/2019 02:54 PM]
- 07/10/2019 [88](#) Filed clerk order: Per the order filed on May 8, 2019 at Docket Entry No. [\[69\]](#), the amicus brief [\[64\]](#) submitted by Laurence H. Tribe, Martin H. Redish, Lawrence Friedman, William D. Rich, Citizens for Responsibility and Ethics in Washington, Coalition to Preserve, Protect and Defend, Free Speech For People, Inc., MoveOn, Protect Democracy Project, Republicans for the Rule of Law, and Roderick and Solange MacArthur Justice Center is referred to the merits panel. Within 7 days of the filing of this order, filer is ordered to submit 7 copies of the brief in paper format, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be submitted to the principal office of the Clerk. [11359713] (LA) [Entered: 07/10/2019 03:21 PM]
2 pg, 96.27 KB
- 07/10/2019 [89](#) Filed clerk order: Per the order filed on May 8, 2019 at Docket Entry No. [\[69\]](#), the amicus brief [\[65\]](#) submitted by Certain Members of Congress is referred to the merits panel. Within 7 days of the filing of this order, filer is ordered to submit 7 copies of the brief in paper format, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be submitted to the principal office of the Clerk. [11359724] (LA) [Entered: 07/10/2019 03:27 PM]
2 pg, 94.96 KB
- 07/16/2019 90 Received 7 paper copies of Amicus Brief [\[64\]](#) filed by Laurence H. Tribe, Martin H. Redish, Lawrence Friedman, William D. Rich, Citizens for Responsibility and Ethics in Washington, Coalition to Preserve, Protect and Defend, Free Speech For People, Inc., MoveOn, Protect Democracy Project, Republicans for the Rule of Law, and Roderick and Solange MacArthur Justice Center. [11365242] (DB) [Entered: 07/16/2019 01:32 PM]
- 07/24/2019 91 Received 7 paper copies of Amicus Brief [\[65\]](#) filed by Certain Members of Congress. [11375315] (SD) [Entered: 07/24/2019 01:49 PM]
- 08/11/2019 92 Notice of Oral Argument on Wednesday, October 23, 2019 - 09:00 A.M. - Courtroom 2 - San Francisco CA.

View the Oral Argument Calendar for your case [here](#).

Be sure to review the [GUIDELINES](#) for important information about your hearing, including when to arrive (30 minutes before the hearing time) and when and how to submit additional citations (filing electronically as far in advance of the hearing as possible).

If you are the specific attorney or self-represented party who will be arguing, use the [ACKNOWLEDGMENT OF HEARING NOTICE](#) filing type in CM/ECF no later than 21 days before Wednesday, October 23, 2019. No form or other attachment is required. If you will not be arguing, do not file an acknowledgment of hearing notice.[11393439][Array,17-10448] (AW) [Entered: 08/11/2019 06:16 AM]
- 08/13/2019 93 Filed (ECF) Acknowledgment of hearing notice by Attorney Mr. James I. Pearce for Appellee USA. Hearing in San Francisco on 10/23/2019 at 09:00 A.M. (Courtroom: Courtroom 2). Filer sharing argument time: No. (Argument minutes: 20.) Special accommodations: NO. Filer admission status: I certify that I am admitted to practice before this Court. Date of service: 08/13/2019. [11395182] [17-10448] (Pearce, James) [Entered: 08/13/2019 07:36 AM]
- 08/15/2019 94 Filed (ECF) Acknowledgment of hearing notice by Attorney Mr. Christopher G. Caldwell for Appellee USA, Special Prosecutor. Hearing in San Francisco on 10/23/2019 at 09:00 A.M. (Courtroom: Courtroom 2). Filer sharing argument time: No. (Argument minutes: 20.) Special accommodations: NO. Filer admission status: I certify that I am admitted to practice before this Court. Date of service: 08/15/2019. [11398668] [17-10448] (Caldwell, Christopher) [Entered: 08/15/2019 02:04 PM]
- 08/15/2019 95 Filed (ECF) Acknowledgment of hearing notice by Attorney Mr. Larry E. Klayman, Esquire for Appellant Joseph M. Arpaio. Hearing in San Francisco on 10/23/2019 at 09:00 A.M. (Courtroom: Courtroom 2). Filer sharing argument time: No. (Argument minutes: 15.) Special accommodations: NO. Filer admission status: I certify that I am admitted to practice before this Court. Date of service: 08/15/2019. [11398711] [17-10448] (Klayman, Larry) [Entered: 08/15/2019 02:19 PM]
- 08/15/2019 96 Filed (ECF) Acknowledgment of hearing notice by Attorney Mr. John Wilenchik for Appellant Joseph M. Arpaio. Hearing in San Francisco on 10/23/2019 at 09:00 A.M. (Courtroom: Courtroom 2). Filer sharing argument time: No. (Argument minutes: 20.) Special accommodations: NO. Filer admission status: I certify

that I am admitted to practice before this Court. Date of service: 08/15/2019. [11399013] [17-10448] (Wilenchik, John) [Entered: 08/15/2019 04:11 PM]

- 08/18/2019 [97](#) Filed (ECF) Appellee USA Motion for miscellaneous relief [Clarification regarding oral argument time]. Date of service: 08/18/2019. [11400966] [17-10448] (Pearce, James) [Entered: 08/18/2019 01:52 PM]
5 pg, 76.14 KB
- 09/03/2019 98 Terminated Appellee USA, Special Prosecutor in 17-10448 (Docket corrected to reflect Special Prosecutor is not a party to the appeal). [11418456] (HH) [Entered: 09/03/2019 11:24 AM]
- 09/03/2019 [99](#) Filed clerk order (Deputy Clerk: WL): Erwin Chemerinsky, Michael E. Tigar, and Jane B. Tigar's motion for leave to file brief as amicus curiae in support of denial of vacatur, filed December 21, 2017, is GRANTED. Certain Members of Congress's motion for leave to file brief as amicus curiae in support of neither party, filed April 29, 2019, is GRANTED. Appellant's motion for sanctions, filed May 14, 2019, is DENIED. Laurence H. Tribe, Martin H. Redish, Lawrence Friedman, William D. Rich, Citizens for Responsibility and Ethics in Washington, MoveOn, and Republicans for the Rule of Law's motion to join The Protect Democracy Project, Inc., Free Speech for People, Coalition to Preserve, Protect and Defend, and the Roderick and Solange MacArthur Justice Center's amicus curiae brief in support of the special counsel, filed April 29, 2019, is GRANTED. [11419151] (WL) [Entered: 09/03/2019 03:14 PM]
2 pg, 41.51 KB
- 09/10/2019 [100](#) Filed (ECF) Appellee USA Motion for miscellaneous relief [Motion by Special Prosecutor for Clarification of Docket Entry Terminating Status]. Date of service: 09/10/2019. [11427437] [17-10448] (Caldwell, Christopher) [Entered: 09/10/2019 04:27 PM]
5 pg, 120.25 KB
- 09/10/2019 101 Notice of Oral Argument on Wednesday, October 23, 2019 - 09:00 A.M. - Courtroom 4 - San Francisco CA.

View the Oral Argument Calendar for your case [here](#).

Be sure to review the [GUIDELINES](#) for important information about your hearing, including when to arrive (30 minutes before the hearing time) and when and how to submit additional citations (filing electronically as far in advance of the hearing as possible).

If you are the specific attorney or self-represented party who will be arguing, use the [ACKNOWLEDGMENT OF HEARING NOTICE](#) filing type in CM/ECF no later than 21 days before Wednesday, October 23, 2019. No form or other attachment is required. If you will not be arguing, do not file an acknowledgment of hearing notice.[11427575][Array,17-10448] (AW) [Entered: 09/10/2019 06:39 PM]
- 09/11/2019 [102](#) Filed (ECF) Amici Curiae Laurence H. Tribe, Esquire, Martin H. Redish, Lawrence Friedman, William D. Rich, Citizens for Responsibility and Ethics in Washington, MoveOn, Protect Democracy Project, Inc. and Republicans for the Rule of Law Motion for miscellaneous relief [Motion by Amici Curiae to Participate in Oral Argument]. Date of service: 09/11/2019. [11427847] [17-10448] (Cabou, Jean-Jacques) [Entered: 09/11/2019 09:38 AM]
7 pg, 95.28 KB
- 09/12/2019 [103](#) Filed clerk order (Deputy Clerk: WL): Oral argument will be presented as follows: Defendant-Appellant Joseph M. Arpaio will have 20 minutes for oral argument. This includes any rebuttal he wishes to make. After Defendant-Appellant Joseph M. Arpaio's opening argument, counsel from the U.S. Department of Justice will then have 10 minutes for oral argument. After the U.S. Department of Justice's argument, Special Prosecutor Christopher G. Caldwell will then have 20 minutes for oral argument. Amici curiae Laurence H. Tribe, Martin H. Redish, Lawrence Friedman, William D. Rich, Citizens for Responsibility and Ethics in Washington, MoveOn, The Protect Democracy Project, Inc., and Republicans for the Rule of Law's motion to participate in oral argument is DENIED. [11429937] (WL) [Entered: 09/12/2019 02:57 PM]
2 pg, 33.57 KB
- 09/18/2019 104 Filed (ECF) Acknowledgment of hearing notice by Attorney Mr. Christopher G. Caldwell for Appellees USA and USA, Special Prosecutor. Hearing in San Francisco on 10/23/2019 at 09:00 A.M. (Courtroom: Courtroom 4). Filer sharing argument time: No. (Argument minutes: 20.) Special accommodations: NO. Filer admission status: I certify that I am admitted to practice before this Court. Date of service: 09/18/2019. [11436404] [17-10448] (Caldwell, Christopher) [Entered: 09/18/2019 04:14 PM]
- 09/26/2019 105 Terminated participation of Court Reporter Elizabeth A. Lemke in this case (no longer active). [11444523] [17-10448, 17-10451, 17-10465, 18-10076, 18-10220, 18-10469, 18-15212, 18-15845, 18-16109, 18-16247, 18-16410, 18-16661, 18-17259] (ASW) [Entered: 09/26/2019 10:28 AM]
- 10/08/2019 [106](#) Filed Non- Party Caraleen Lopshine EMERGENCY Form 16. Circuit Rule 27-3 c. Deficiencies: None. [11459244]--[COURT UPDATE: To attach exhibits; resent NDA - 10/09/2019 by HH]--[COURT UPDATE: The Court will take no action on this filing because the filer is not a party to the appeal. 02/21/2020 by SVG] (JFF) [Entered: 10/09/2019 11:31 AM]
530 pg, 15.14 MB
- 10/23/2019 107 ARGUED AND SUBMITTED TO JAY S. BYBEE, N. RANDY SMITH and DANIEL PAUL COLLINS. [11474700] (WWP) [Entered: 10/23/2019 12:29 PM]
- 10/23/2019 [108](#) Filed Audio recording of oral argument.
Note: Video recordings of public argument calendars are available on the Court's website, at <http://www.ca9.uscourts.gov/media/> [11475210] (BJK) [Entered: 10/23/2019 03:26 PM]
1 pg, 49.02 MB

02/27/2020	<input type="checkbox"/> 109 19 pg, 222.7 KB	FILED OPINION (JAY S. BYBEE, N. RANDY SMITH and DANIEL PAUL COLLINS) AFFIRMED. Judge: JSB Authoring. FILED AND ENTERED JUDGMENT. [11610566]--[Edited 03/03/2020 (attached updated PDF - counsel listing updated) by AKM] (AKM) [Entered: 02/27/2020 08:27 AM]
02/27/2020	<input type="checkbox"/> 110 2 pg, 75.13 KB	Filed (ECF) Appellant Joseph M. Arpaio Correspondence: NOTICE OF ERROR IN COURT'S OPINION OF FEBRUARY 27, 2020. Date of service: 02/27/2020 [11611899] [17-10448] (Klayman, Larry) [Entered: 02/27/2020 04:57 PM]
03/03/2020	<input type="checkbox"/> 111 1 pg, 31.43 KB	Filed order (JAY S. BYBEE, N. RANDY SMITH and DANIEL PAUL COLLINS): Counsel Larry Klayman's request to be named in the published opinion as counsel for Defendant-Appellant Joseph Arpaio is GRANTED. [11616268] (AF) [Entered: 03/03/2020 10:42 AM]
03/20/2020	<input type="checkbox"/> 112 1 pg, 92.21 KB	MANDATE ISSUED.(JSB, NRS and DPC) [11636169] (JFF) [Entered: 03/20/2020 09:04 AM]

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