

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAY 5 2020

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ARIZONANS FOR FAIR ELECTIONS,
AZAN, an Arizona nonprofit corporation; et
al.,

Plaintiffs-Appellants,

v.

KATIE HOBBS, Arizona Secretary of State;
et al.,

Defendants-Appellees,

STATE OF ARIZONA,

Intervenor-Defendant-
Appellee.

No. 20-15719

D.C. No. 2:20-cv-00658-DWL
District of Arizona,
Phoenix

ORDER

Before: SILVERMAN, NGUYEN, and COLLINS, Circuit Judges.

Appellee State of Arizona's motion for leave to file a combined response to appellants' emergency motion and to amicus briefs (Docket Entry No. 24-1) is granted. The response has been filed (Docket Entry Nos. 24, 25).

Appellants' emergency motion for injunctive relief (Docket Entry No. 3) is denied. *See Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7 (2008).

Appellants, having failed to challenge the Arizona constitutional requirement of in-person signatures, cannot get the redress from the court they now seek by only challenging the statute at issue. *See Ariz. Const. art. IV, pt. 1, § 1(9)* (initiative

petitions must be “signed in the presence of the affiant”); *see also M.S. v. Brown*, 902 F.3d 1076, 1083 (9th Cir. 2018).

All other pending motions will be addressed by separate order.

The briefing schedule established previously remains in effect.