

IN THE
COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 8/26/20
AMY M. WOOD,
CLERK
BY: RB

THE HOPI TRIBE,)
) Court of Appeals
) Division One
)
) Petitioner,) No. 1 CA-SA 20-0186
)
)
) v.) Apache County
) Superior Court
)
) THE HONORABLE MARK BRAIN, Judge) No. CV6417-203
)
) of the SUPERIOR COURT OF THE)
) STATE OF ARIZONA, in and for the)
) County of MARICOPA,)
)
) Respondent Judge,)
)
) ARIZONA STATE LAND DEPARTMENT;)
) CITY OF FLAGSTAFF; LCR)
) COALITION; NAVAJO NATION; SALT)
) RIVER PROJECT AGRICULTURAL)
) IMPROVEMENT AND POWER DISTRICT;)
) UNITED STATES,)
)
) Real Parties in Interest.)
)

ORDER ACCEPTING JURISDICTION; DENYING RELIEF AND DENYING REQUEST FOR STAY

This court, Presiding Judge D. Steven Williams, Judge David D. Weinzwieg and Judge Jennifer M. Perkins participating, has considered the petition for special action and the motion for stay. A telephonic stay hearing was held on August 26, 2020 with Colin F. Campbell, representing Petitioner; Carrie J. Brennan, representing Real Party in Interest Arizona State Land Department; Sara V. Ransom, representing Real Party in Interest City of Flagstaff; Timothy J. Berg, representing Real Party in Interest Little Colorado River Coalition; Jeffrey S. Leonard, representing Real

Party in Interest Navajo Nation; Mark A. McGinnis, representing Real Party in Interest Salt River Project Agricultural Improvement & Power District and Rebecca M. Ross, representing the United States. After consideration,

IT IS ORDERED, because Petitioner seeks to challenge an order from which they have no equally plain, speedy or adequate remedy on appeal, in the exercise of its discretion, the court accepts jurisdiction of the special action.

IT IS FURTHER ORDERED, after considering Arizona Supreme Court Administrative Order No. 2020-114 issued July 15, 2020, which replaced Administrative Order No. 2020-79, and seeing no abuse of discretion in Special Master Susan Harris' order issued June 30, 2020 and filed July 2, 2020, nor in Judge Mark W. Brain's order issued August 20, 2020, the court denies the relief requested.

IT IS FURTHER ORDERED denying Petitioner's motion to stay as moot.

IT IS FURTHER ORDERED vacating this court's previous order in its entirety including the obligation requiring the filing and service of a response to the petition.

_____/s/_____
D. Steven Williams, Presiding Judge

A copy of the foregoing
was sent to:

Colin F Campbell
Geoffrey M T Sturr
Grace E Rebling
Eric M Fraser
Phillip W Londen
Payslie M. Bowman
Carrie Jane Brennan
David F Jacobs
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Alexandra R Arboleda
Lee A Storey
Ethan B Minkin
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David Albert Brown
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M Kathryn Hoover
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Joe Wiley Keene
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Emmi Blades
Hon Mark H Brain
Timothy J Berg