

SUPREME COURT OF ARIZONA

REPUBLICAN NATIONAL COMMITTEE;) Arizona Supreme Court
REPUBLICAN PARTY OF ARIZONA,) No. CV-25-0089-PR
LLC; AND YAVAPAI COUNTY)
REPUBLICAN PARTY,) Court of Appeals
) Division Two
Plaintiffs/Appellants,) No. 2 CA-CV 24-0241
)
v.) Maricopa County
) Superior Court
ADRIAN FONTES, IN HIS OFFICIAL) No. CV2024050553
CAPACITY AS ARIZONA SECRETARY OF)
STATE,)
) **FILED 10/16/2025**
Defendant/Appellee,)
)
)
VOTO LATINO, ARIZONA ALLIANCE)
FOR RETIRED AMERICANS,)
DEMOCRATIC NATIONAL COMMITTEE,)
AND ARIZONA DEMOCRATIC PARTY,)
)
Intervenor-Defendants/)
Appellees.)
)
_____)

O R D E R

The Court, en banc, having considered the briefing and oral argument in this matter, and considering the need for clarity in upcoming elections, unanimously holds that the rule-making provisions of the Arizona Administrative Procedure Act, A.R.S. § 41-1001 et seq., are inapplicable to the promulgation of the Elections Procedure Manual ("EPM") under A.R.S. § 16-452. Therefore,

IT IS ORDERED vacating the court of appeals' opinion and reinstating pages 1-3 of the trial court's May 10, 2024 decision.

IT IS FURTHER ORDERED remanding to the court of appeals to address RNC's alternative claims challenging eight specific provisions of the 2023 EPM on the basis that they contradict or directly conflict with state and federal statutes.

An opinion fully explaining our decision will follow in due course.

DATED this 16th day of October, 2025.

/s/
ANN A. SCOTT TIMMER
Chief Justice

TO:

Kurt M Altman
Christopher O Murray
Julian R Ellis Jr.
Joshua D Bendor
Joshua M Whitaker
Kara Karlson
Karen J Hartman-Tellez
Kyle R Cummings
Lalitha D Madduri
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Alexis E Danneman
Matthew R Koerner
Roy Herrera
Daniel A Arellano
Austin T Marshall
Daniel S Jurkowitz
Andrew W. Gould
Alexandria Saquella
Elizabeth Price Foley
Kory A Langhofer
Thomas J Basile
Mary R O'Grady
Joseph N Roth
Joshua J. Messer
Ian Daranyi
Joseph A Kanefield
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Ian R Joyce
Brunn W Roysden III
Katlyn J Divis
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Raymond L. Billitte
Hon. Frank W. Moskowitz
Hon. Pamela S. Gates
Hon. Joseph W. Malka
lpb