

SUPREME COURT OF ARIZONA

PLANNED PARENTHOOD ARIZONA, INC.,)	Arizona Supreme Court
SUCCESSOR-IN-INTEREST TO)	No. CV-23-0005-PR
PLANNED PARENTHOOD CENTER OF)	
TUCSON, INC.; LAURA CONOVER,)	Court of Appeals
PIMA COUNTY ATTORNEY,)	Division Two
)	No. 2 CA-CV 22-0116
Appellants,)	
)	Pima County
v.)	Superior Court
)	No. C127867
KRISTIN K MAYES, ATTORNEY)	
GENERAL OF THE STATE OF ARIZONA,)	
)	
Appellee,)	
)	
and)	
)	
ERIC HAZELRIGG, M.D., AS)	
GUARDIAN AD LITEM OF UNBORN)	
CHILD OF PLAINTIFF JANE ROE AND)	
ALL OTHER UNBORN INFANTS)	
SIMILARLY SITUATED; DENNIS)	
MCGRANE, YAVAPAI COUNTY ATTORNEY,)	
)	
Intervenors.)	
)	
_____)	FILED 05/13/2024

ORDER

This Court's April 9, 2024 Opinion stayed the enforcement of A.R.S. § 13-3603 for fourteen calendar days from the filing date of the Opinion "to permit the parties, on remand, to determine whether to pursue remaining issues raised in the trial court and, if so to request stay relief at the trial court's discretion."

On April 30, 2024, Arizona Attorney General Kristin K. Mayes filed "Attorney General's Motion to Stay Issuance of Mandate," requesting this Court to stay issuance of its mandate

in this case for 90 days to permit the Attorney General time to potentially file a petition for a writ of certiorari in the United States Supreme Court.

On April 24, 2024, the Arizona House of Representatives voted to repeal the statute at issue in this case, A.R.S. § 13-3603. The Senate followed on May 1, 2024.

On May 1, 2024, Planned Parenthood Arizona, Inc. filed a "Motion to Stay Issuance of Mandate," requesting a stay of this Court's mandate in this case until the repeal legislation takes effect, which will occur 91 days after the date of the Legislature's adjournment. On May 2, 2024, Governor Hobbs signed the legislation repealing A.R.S. § 13-3603.

On May 2, 2024, Attorney General Mayes filed a "Joinder in Planned Parenthood Arizona, Inc.'s Motion to Stay Issuance of Mandate."

Also on May 2, 2024, Pima County Attorney Laura Conover filed a "Joinder in Planned Parenthood Arizona Inc.'s Motion to Stay Issuance of Mandate."

On May 7, 2024, Intervenors Hazelrigg and McGrane filed a "Combined Response to Respondents' Motions to Stay Issuance of Mandate," opposing the requests to stay the mandate.

On May 9, 2024, Planned Parenthood Arizona, Inc., joined by Pima County Attorney Laura Conover, filed a "Reply in Support of Motion to Stay Issuance of Mandate."

Also on May 9, 2024, Attorney General Mayes filed a "Combined Reply in Support of Motions to Stay the Mandate." After consideration and pursuant to Rule 24(d), Arizona Rules of Civil Appellate Procedure, by a majority¹ of the Court,

IT IS ORDERED staying the enforcement of A.R.S. § 13-3603 and granting the motion to stay issuance of the mandate for 90 days from the date of this Order (through and including August 12, 2024) to permit the Attorney General time to potentially file a petition for certiorari in the United States Supreme Court.

IT IS FURTHER ORDERED that this Order is without prejudice to the parties' seeking an additional stay of the enforcement of the statute and mandate pursuant to ARCAP 24(d)(2) or further injunctive relief from the trial court.

IT IS FURTHER ORDERED denying Planned Parenthood Arizona, Inc.'s "Motion to Stay Issuance of Mandate," filed on May 1, 2024.

DATED this 13th day of May, 2024.

/s/
ROBERT BRUTINEL
Chief Justice

¹Justice Montgomery did not participate in the determination of this matter.

TO:

Cristian Torres
D Andrew Gaona
Diana O Salgado
Austin C Yost
Laura Winsky Conover
Samuel Emiliano Brown
Jonathan Laurence Pinkney
Aadika Singh
Joshua Rosenthal
Joshua D Bendor
Alexander W Samuels
Luci Danielle Davis
Kevin Theriot
John J Bursch
Denise M Harle
Jacob Paul Warner
Joshua W Carden
Kevin L Beckwith
Olivia F Summers
Roberta S Livesay
Parker C Fox
Hannah L Templin
Kory A Langhofer
Thomas J Basile
Andrew Lishko
Samuel D Green
Timothy D Ducar
Mathew D Staver
Douglas Jeffery Newborn
Abigail Joy Mills
David J Euchner
Lauren Beall
Susan Caroline Salmon
Orlando Economos
Benjamin Seel
Alexis E Danneman
Jean-Jacques Cabou
Sambo Dul
Neta Borshansky
Noah Gabrielsen
Bruce E Samuels
Lauren Ann Crawford
Hannah Dolski
Anita R Rocha
Timothy J Berg
Emily Ayn Ward

Christopher D Thomas
Karin Aldama
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J Stanley Martineau
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Beth C Beckmann
Nicole Saharsky
Adriane Janet Hofmeyr
Joy Herr-Cardillo