

ARIZONA SUPERIOR COURT, PIMA COUNTY

HON. GREG SAKALL

CASE NO. C20242478

COURT REPORTER: Digitally Recorded
Courtroom - 808

DATE: February 18, 2025

ARIZONA CITIZENS DEFENSE LEAGUE, INC.
and
CHRISTOPHER M. KING
Plaintiffs

Parker Jackson, Esq. and
Scott Day Freeman, Esq.
Counsel for Plaintiffs

V.

PIMA COUNTY,
REX SCOTT,
MATT HEINZ,
SYLVIA M. LEE,
STEVE CHRISTY, and
ADELITA S. GRIJALVA
Defendants

Diego Rodriguez, Esq., Samuel E. Brown, Esq.
and Jonathan L. Pinkney, Esq.
(Mr. Pinkney appearing via Teams)
Counsel for Defendants

MINUTE ENTRY

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT / DEFENDANTS' MOTION TO DISMISS

Parties not present.

Messrs. Jackson, Rodriguez, and Brown argue to the Court.

Mr. Brown moves the Court to take under judicial notice California Government Code Section 53-071.

As to Defendants' Motion to Dismiss:

THE COURT FINDS that Plaintiffs have standing for the reasons set forth in Plaintiffs' briefing, and that Plaintiffs' claims are ripe for review.

IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss is denied.

As to Plaintiffs' Motion for Summary Judgment:

THE COURT FINDS that there is no genuine issue of material fact; that Pima County Ordinance 2024-2, which is codified at Pima County Code Section 9.85.010 through 9.85.060, is preempted by A.R.S. § 13-3108(A) and (D). In addition, THE COURT FURTHER FINDS alternatively that the Ordinance is field preempted.

IT IS THEREFORE ORDERED that Plaintiffs' Motion for Summary Judgment is granted.

Plaintiffs are directed to lodge a form of 54(C) judgment as well as file any motion for attorney's fees

F. Gonzales
Deputy Clerk

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and statement of costs within 20 days of this date.

IT IS FURTHER ORDERED the final judgment shall include a permanent injunction against the implementation or enforcement of Pima County Ordinance 2024-2.

cc: Hon. Greg Sakall
Diego Rodriguez, Esq.
Jonathan L. Pinkney, Esq.
Jonathan Riches, Esq.
Parker Jackson, Esq.
Samuel E. Brown, Esq.
Scott Day Freeman, Esq.

F. Gonzales
Deputy Clerk