

SUPREME COURT OF ARIZONA

LISA JAMES, a qualified elector ) Arizona Supreme Court  
and taxpayer; MERILEE FOWLER, a ) No. CV-20-0226-AP/EL  
qualified elector and taxpayer; )  
TODD GRIFFITH, a qualified ) Maricopa County  
elector and taxpayer; DR. EDWARD ) Superior Court  
GOGEK, a qualified elector and ) No. CV2020-008460  
taxpayer; PAUL SMITH, a )  
qualified elector and taxpayer; )  
DR. DALE GUTHRIE, a qualified )  
elector and taxpayer; and SALLY )  
SCHINDEL, a qualified elector )  
and taxpayer )  
)  
Plaintiffs/Appellants, )  
) **FILED 08/20/2020**  
v. )  
)  
KATIE HOBBS, in her capacity as )  
Arizona Secretary of State, )  
)  
Defendant/Appellee, )  
)  
and )  
)  
SMART AND SAFE ARIZONA, a )  
political action committee, )  
)  
Real Party in Interest/Appellee. )  
)  
\_\_\_\_\_ )

**O R D E R**

The Court en banc has considered the briefs and authorities in this expedited election appeal concerning the "Smart and Safe Arizona Act" (the "Initiative"), serial number I-23-2020, a ballot initiative proposing to legalize recreational marijuana. The trial court concluded the 100-word summary accurately described the proposition under A.R.S. § 19-102(A) and denied Petitioners' request to enjoin the Secretary of State from including the Initiative on the 2020 general election ballot.

Upon consideration, the Court unanimously affirms the judgment of the trial court.

**IT IS ORDERED** affirming the trial court's judgment denying injunctive relief. The Secretary of State will proceed under Title 19, Arizona Revised Statutes, to include the ballot initiative in the general election publicity pamphlet and to place it on the general election ballot.

**IT IS FURTHER ORDERED** denying Appellee Smart and Safe Arizona's Motion to Dismiss and request for attorneys' fees.

DATED this 20<sup>th</sup> day of August, 2020.

\_\_\_\_\_/s/\_\_\_\_\_  
ROBERT BRUTINEL  
Chief Justice

TO:

John D Shedegg  
Eric E Lynch  
Kara Karlson  
Dustin Romney  
Roopali H Desai  
D Andrew Gaona  
Marvin C Ruth  
Kristen M Yost  
Hon. James D Smith  
Hon. Jeff Fine  
Kory A Langhofer  
Thomas J Basile  
Sean Gallagher  
Timothy LaSota  
David Euchner  
Jared G Keenan