

SUPREME COURT OF ARIZONA

SUE HECK, ) Arizona Supreme Court  
 ) No. CV-26-0122-AP/EL  
Appellant, )  
 ) Pima County  
 v. ) Superior Court  
 ) No. CV20262700  
HERB KAI, et al., )  
 ) **FILED 04/20/2026**  
Appellees. )  
\_\_\_\_\_ )

**O R D E R**

Plaintiff/Appellant/Challenger Heck filed a *Statement Identifying Appeal as Expedited Election and Request for Initial Telephonic Scheduling Conference* in this expedited election matter on April 17, 2026, pursuant to Rule 10, Arizona Rules of Civil Appellate Procedure.

In lieu of a telephonic scheduling conference, Court staff has consulted with counsel for Appellant and Defendant/Appellee/Candidate Kai and the Town of Marana and Pima County. Counsel for Pima County has advised that the deadline to resolve this matter is May 8, 2026.

**IT IS ORDERED** directing Pima County to file a pleading with the deadline for a decision in this case forthwith.

**IT IS FURTHER ORDERED** if either party wishes to use transcripts, such party shall file authorized transcripts as soon as possible. If no authorized transcript can be prepared and filed timely, the parties are encouraged to stipulate to the pertinent facts or testimony or provide pertinent segments of unauthorized transcripts

in a joint appendix as soon as possible.

**IT IS FURTHER ORDERED** Appellant shall file the opening brief no later than **4:00 p.m.** on Tuesday, **April 21, 2026**. The opening brief shall be no more than 2,500 words.

**IT IS FURTHER ORDERED** Appellee may file an answering brief no later than **noon** on Friday, **April 24, 2026**. The answering brief shall be no more than 2,500 words. There will be no reply.

**IT IS FURTHER ORDERED** that briefs will be in a legible 14-point font, double-spaced, and will include all arguments the parties wish to present to the Court. They may be filed in memorandum format (no tables of contents or authorities).

**IT IS FURTHER ORDERED** that copies of all filings must be delivered as required under Rule 10(h).

**IT IS FURTHER ORDERED** that in addition to filing briefs with the Clerk of the Supreme Court (with filing and service through AZTurboCourt) all filings are also to be sent by email to all the parties and court staff and to [SACrtDocs@courts.az.gov](mailto:SACrtDocs@courts.az.gov) when filed.

This matter will be decided without oral argument. The Court anticipates conferencing this matter on May 5, 2026, with a decision to issue on or after that date.

DATED this 20th day of April, 2026.

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/s/  
WILLIAM G. MONTGOMERY  
Duty Justice

TO:

James E Barton II  
Jacqueline Mendez Soto  
Charles Lucking  
Joshua A Barro  
Timothy A LaSota  
Daniel S Jurkowitz  
Scott McDonald  
James W Giacomino  
David Udall