

SUPREME COURT OF ARIZONA

MICHAEL BEAVER, et al.,) Arizona Supreme Court
) No. CV-20-0190-SA
 Petitioners,)
)
 v.)
)
 DOUG DUCEY, in his capacity)
 as the Governor of the) FILED: 8/25/2020
 State of Arizona,)
)
 Respondent.)
 _____)

O R D E R

The Court en banc has considered the briefs and authorities in this special action challenging Executive Order 20-043 and related orders issued by Governor Ducey concerning the spread and containment of the novel coronavirus.

Upon consideration, the Court declines to accept jurisdiction pursuant to Rule 7(b), Ariz. R. P. Spec. Act. The Court finds that Petitioners did not provide a compelling reason as to why this matter could not be initiated in a lower court. Additionally, lacking a factual record, the Court is unable to consider the arguments that the orders violated the Privilege and Immunities Clause of the Arizona Constitution and that Petitioners were deprived of due process.

IT IS ORDERED declining jurisdiction without prejudice for Petitioners to initiate the matter in a lower court.

IT IS FURTHER ORDERED denying Petitioners' request for attorneys' fees.

DATED this 25th day of August, 2020.

_____/s/_____
ROBERT BRUTINEL
Chief Justice

TO:

Ilan Wurman
Anni L Foster
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Kelly A Kszywinski
Tracy Olson
Gregory W Falls
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