

SUPREME COURT OF ARIZONA

JILL KENNEDY, an individual and ) Arizona Supreme Court  
qualified elector, ) No. CV-12-0277-AP/EL  
)  
Plaintiff/Appellant, ) Coconino County  
) Superior Court  
v. ) No. CV2012-00508  
)  
JOSEPH LODGE, an individual, )  
Real Parties in Interest, THE )  
HONORABLE CARL TAYLOR, MATT RYAN, ) **FILED 08/21/2012**  
ELIZABETH ARCHULETA, LENA )  
FOWLER AND MANDY METZGER THE )  
DULY ELECTED OR APPOINTED )  
MEMBERS OF THE COCONINO COUNTY )  
BOARD OF SUPERVISORS, WHO ARE )  
NAMED SOLELY IN THEIR OFFICIAL )  
CAPACITY; WENDY ESCOFFIER, CLERK )  
OF THE BOARD OF SUPERVISORS, WHO )  
IS NAMED SOLELY IN HER OFFICIAL )  
CAPACITY; THE COCONINO COUNTY )  
BOARD OF SUPERVISORS; THE )  
HONORABLE CANDACE D. OWENS, THE )  
DULY ELECTED COCONINO COUNTY )  
RECORDER, WHO IS NAMED SOLELY IN )  
HER OFFICIAL CAPACITY AND THE )  
HONORABLE PATTY HANSEN THE DULY )  
APPOINTED COCONINO COUNTY )  
ELECTION ADMINISTRATOR, WHO IS )  
SOLELY NAMED IN HER OFFICIAL )  
CAPACITY, )  
)  
Defendants/Appellees. )  
)  
\_\_\_\_\_ )

**O R D E R**

The Court, by a panel consisting of Chief Justice Berch and Justices Pelander and Brutinel, has considered the briefs of the parties and amici curiae and the record in this accelerated election appeal. After consideration,

IT IS ORDERED reversing the superior court's Under-Advisement Ruling of August 10, 2012. Appellee Joseph Lodge is disqualified from participating as a Libertarian Party write-in candidate for

the office of Coconino County Superior Court Judge, Division 5, in the August 28, 2012 primary election. The Coconino County Recorder and Elections Administrator shall not count any votes for him in the tally of ballots for that election.

IT IS FURTHER ORDERED that Joseph Lodge's name shall not be placed on the official ballot for the 2012 general election for the office of Coconino County Superior Court Judge, Division 5. A written decision shall follow in due course.

IT IS FURTHER ORDERED that Appellee Lodge's Request for Oral Argument is denied.

IT IS FURTHER ORDERED that Appellant's request for an award of attorney fees is denied.

DATED this \_\_\_\_\_ day of August, 2012.

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Rebecca White Berch  
Chief Justice

TO:

Scott E Williams  
Mark B Zinman  
Michael A Parham  
Jean E Wilcox  
Roopali Hardin Desai  
Andrew S Gordon  
M Colleen Connor  
Bruce P White  
David L Mackey