

SUPREME COURT OF ARIZONA

PLANNED PARENTHOOD ARIZONA, INC., ) Arizona Supreme Court  
SUCCESSOR-IN-INTEREST TO ) No. CV-23-0005-PR  
PLANNED PARENTHOOD CENTER OF )  
TUCSON, INC.; LAURA CONOVER, ) Court of Appeals  
PIMA COUNTY ATTORNEY, ) Division Two  
) No. 2 CA-CV 22-0116  
Appellants, )  
) Pima County  
v. ) Superior Court  
) No. C127867  
KRISTIN K MAYES, ATTORNEY )  
GENERAL OF THE STATE OF ARIZONA, )  
)  
Appellee, )  
)  
and )  
)  
ERIC HAZELRIGG, M.D., AS )  
GUARDIAN AD LITEM OF UNBORN )  
CHILD OF PLAINTIFF JANE ROE AND )  
ALL OTHER UNBORN INFANTS )  
SIMILARLY SITUATED; DENNIS )  
MCGRANE, YAVAPAI COUNTY ATTORNEY, )  
)  
Intervenors. )  
)  
\_\_\_\_\_ ) **FILED 05/13/2024**

**ORDER**

This Court's April 9, 2024 Opinion stayed the enforcement of A.R.S. § 13-3603 for fourteen calendar days from the filing date of the Opinion "to permit the parties, on remand, to determine whether to pursue remaining issues raised in the trial court and, if so to request stay relief at the trial court's discretion."

On April 30, 2024, Arizona Attorney General Kristin K. Mayes filed "Attorney General's Motion to Stay Issuance of Mandate," requesting this Court to stay issuance of its mandate

in this case for 90 days to permit the Attorney General time to potentially file a petition for a writ of certiorari in the United States Supreme Court.

On April 24, 2024, the Arizona House of Representatives voted to repeal the statute at issue in this case, A.R.S. § 13-3603. The Senate followed on May 1, 2024.

On May 1, 2024, Planned Parenthood Arizona, Inc. filed a "Motion to Stay Issuance of Mandate," requesting a stay of this Court's mandate in this case until the repeal legislation takes effect, which will occur 91 days after the date of the Legislature's adjournment. On May 2, 2024, Governor Hobbs signed the legislation repealing A.R.S. § 13-3603.

On May 2, 2024, Attorney General Mayes filed a "Joinder in Planned Parenthood Arizona, Inc.'s Motion to Stay Issuance of Mandate."

Also on May 2, 2024, Pima County Attorney Laura Conover filed a "Joinder in Planned Parenthood Arizona Inc.'s Motion to Stay Issuance of Mandate."

On May 7, 2024, Intervenors Hazelrigg and McGrane filed a "Combined Response to Respondents' Motions to Stay Issuance of Mandate," opposing the requests to stay the mandate.

On May 9, 2024, Planned Parenthood Arizona, Inc., joined by Pima County Attorney Laura Conover, filed a "Reply in Support of Motion to Stay Issuance of Mandate."

Also on May 9, 2024, Attorney General Mayes filed a "Combined Reply in Support of Motions to Stay the Mandate." After consideration and pursuant to Rule 24(d), Arizona Rules of Civil Appellate Procedure, by a majority<sup>1</sup> of the Court,

**IT IS ORDERED** staying the enforcement of A.R.S. § 13-3603 and granting the motion to stay issuance of the mandate for 90 days from the date of this Order (through and including August 12, 2024) to permit the Attorney General time to potentially file a petition for certiorari in the United States Supreme Court.

**IT IS FURTHER ORDERED** that this Order is without prejudice to the parties' seeking an additional stay of the enforcement of the statute and mandate pursuant to ARCAP 24(d)(2) or further injunctive relief from the trial court.

**IT IS FURTHER ORDERED** denying Planned Parenthood Arizona, Inc.'s "Motion to Stay Issuance of Mandate," filed on May 1, 2024.

DATED this 13<sup>th</sup> day of May, 2024.

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

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<sup>1</sup>Justice Montgomery did not participate in the determination of this matter.

TO:

Cristian Torres  
D Andrew Gaona  
Diana O Salgado  
Austin C Yost  
Laura Winsky Conover  
Samuel Emiliano Brown  
Jonathan Laurence Pinkney  
Aadika Singh  
Joshua Rosenthal  
Joshua D Bendor  
Alexander W Samuels  
Luci Danielle Davis  
Kevin Theriot  
John J Bursch  
Denise M Harle  
Jacob Paul Warner  
Joshua W Carden  
Kevin L Beckwith  
Olivia F Summers  
Roberta S Livesay  
Parker C Fox  
Hannah L Templin  
Kory A Langhofer  
Thomas J Basile  
Andrew Lishko  
Samuel D Green  
Timothy D Ducar  
Mathew D Staver  
Douglas Jeffery Newborn  
Abigail Joy Mills  
David J Euchner  
Lauren Beall  
Susan Caroline Salmon  
Orlando Economos  
Benjamin Seel  
Alexis E Danneman  
Jean-Jacques Cabou  
Sambo Dul  
Neta Borshansky  
Noah Gabrielsen  
Bruce E Samuels  
Lauren Ann Crawford  
Hannah Dolski  
Anita R Rocha  
Timothy J Berg  
Emily Ayn Ward

Christopher D Thomas  
Karin Aldama  
Kristine J Beaudoin  
J Stanley Martineau  
Steven H Aden  
Alberto Rodriguez  
Beth C Beckmann  
Nicole Saharsky  
Adriane Janet Hofmeyr  
Joy Herr-Cardillo