

1 **AMERICA FIRST LEGAL FOUNDATION**

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Attorneys for Plaintiffs

8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
9 **IN AND FOR THE COUNTY OF MARICOPA**

10 STRONG COMMUNITIES
11 FOUNDATION OF ARIZONA
12 INCORPORATED, ERIC LOVELIS, and
13 WILLIAM JOSEPH APPLETON;;

Plaintiffs,

v.

14 MARICOPA COUNTY; BILL GATES,
15 STEVE GALLARDO, THOMAS
16 GALVIN, CLINT HICKMAN, and
17 JACK SELLERS, in their respective
18 official capacities as members of the
19 Maricopa County Board of Supervisors;
20 STEPHEN RICHER, in his official
21 capacity as Maricopa County Recorder;
22 COCONINO COUNTY; JERONIMO
23 VASQUEZ, PATRICE HORSTMAN;
24 ADAM HESS, JUDY BEGAY, and
25 LENA FOWLER, in their respective
26 official capacities as members of the
27 Coconino County Board of Supervisors;
28 and PATTY HANSEN, in her official
capacity as Coconino County Recorder;

Defendants.

Case No. CV2024-002441

NOTICE OF DISMISSAL

Plaintiffs, pursuant to Ariz. R. Civ P. 41(a)(1)(A)(i), voluntarily dismiss without prejudice the above-entitled action against Defendants.

1 Under Rule 41(a)(a)(A)(i), “the plaintiff may dismiss an action ... by filing a notice
2 of dismissal before the opposing party serves either an answer or a motion for summary
3 judgment.” “[B]efore [an] answer is filed the right to dismiss is absolute, self-executing,
4 and accomplished automatically by plaintiff’s filing a notice of dismissal. There need be
5 no notice to defendant, no hearing on the matter, and no order of the court.” *Goodman v.*
6 *Gordon*, 103 Ariz. 538, 540 (1968); *State ex rel. Dep’t of Econ. Sec. v. Martinez*, No. 1
7 CA-CV 17-0247 FC, 2018 WL 4164323, at *2 ¶ 9 (Ariz. Ct. App. Aug. 30, 2018) (quoting
8 *Goodman*, 103 Ariz. at 540) (same); see also *Evans v. Reyes*, No. 2 CA-CV 2022-0144,
9 2023 WL 5354416, at *3 ¶ 13 (Ariz. Ct. App. Aug. 21, 2023) (“[A] notice of dismissal
10 under Rule 41(a)(1)(A)(i), Ariz. R. Civ. P., is self-executing and ‘completely effective
11 upon the filing of a written notice of dismissal.’” (quoting *Spring v. Spring*, 3 Ariz. App.
12 381, 383 (1966)).

13 RESPECTFULLY SUBMITTED this 22nd of February, 2024.

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15 **America First Legal Foundation**

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1 ORIGINAL filed and served via electronic
2 means this 22nd day of February, 2024, upon:

3 Honorable Jay R. Adleman
4 Maricopa County Superior Court
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