

AMERICA FIRST LEGAL FOUNDATION

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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Strong Communities Foundation of Arizona
Incorporated, and Yvonne Cahill;

Plaintiffs,

v.

Justin Heap, in his official capacity as Maricopa County Recorder; *et al.*

Defendants.

No. CV-24-02030-PHX-KML

THE PARTIES' NOTICE OF STIPULATED DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the Plaintiffs and the following Defendants, who constitute all of the remaining parties in this action, stipulate to dismiss this action with prejudice, with all parties to bear their own attorneys' fees and costs:

- Justin Heap, in his official capacity as Maricopa County Recorder
- Maricopa County
- Larry Noble, in his official capacity as Apache County Recorder
- Apache County
- Billy Cloud,¹ in his official capacity as Cochise County Recorder
- Cochise County
- Aubrey Sonderegger,² in her official capacity as Coconino County Recorder

¹ The prior Defendant, David Stevens, resigned his office of Cochise County Recorder as of February 28, 2025, and Billy Cloud assumed the office. Therefore, under Fed. R. Civ. P. 25(d), the new Cochise County Recorder, Billy Cloud, has been "automatically substituted as a party."

² Following the 2024 general election, the prior Defendant, former Coconino County Patty Hansen, no longer holds that office. Under Fed. R. Civ. P. 25(d), the new Coconino County Recorder, Aubrey Sonderegger, has been "automatically substituted as a party."

- Coconino County
- Sadie Jo Bingham, in her official capacity as Gila County Recorder
- Gila County
- Polly Merriman, in her official capacity as Graham County Recorder
- Graham County
- Erin Miller,³ in her official capacity as Greenlee County Recorder
- Greenlee County
- Richard Garcia, in his official capacity as La Paz County Recorder
- La Paz County
- Timothy Jordan,⁴ in his official capacity as Navajo County Recorder
- Navajo County
- Gabriella Cázares-Kelly, in her official capacity as Pima County Recorder
- Pima County
- Dana Lewis, in her official capacity as Pinal County Recorder
- Pinal County
- Anita Moreno, in her official capacity as Santa Cruz County Recorder
- Santa Cruz County
- David Lara,⁵ in his official capacity as Yuma County Recorder
- Yuma County

The parties have stipulated to this dismissal because the above-named Defendants have agreed to ask DHS to begin responding to requests under 8 U.S.C. §§ 1373 and 1644 to verify the citizenship of each county's federal-only voters.

Accordingly, the parties to this action, who are all signatories to this motion, request that the Clerk dismiss this action as moot.

³ Following the 2024 general election, the prior Defendant, former Greenlee County Recorder Sharie Milheiro, no longer holds that office. Under Fed. R. Civ. P. 25(d), the new Greenlee County Recorder, Erin Miller, has been "automatically substituted as a party."

⁴ Following the 2024 general election, the prior Defendant, former Navajo County recorder Michael Sample, no longer holds that office. Under Fed. R. Civ. P. 25(d), the new Navajo County Recorder, Timothy Jordan, has been "automatically substituted as a party."

⁵ Following the 2024 general election, the prior named Defendant, former Yuma County recorder Richard Colwell, no longer holds that office. Under Fed. R. Civ. P. 25(d), the new Yuma County Recorder, David Lara, has been "automatically substituted as a party."

1 Dated: April 9, 2025

Respectfully submitted

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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of April, 2025, I electronically filed the foregoing document with the Clerk of the Court for the United States District Court for the District of Arizona using the CM/ECF filing and transmittal of a Notice of Electronic filing to the CM/ECF registrants on record.

/s/ James K. Rogers
Attorney for the Plaintiffs

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