

SUPREME COURT OF ARIZONA

ARIZONA INDEPENDENT)
REDISTRICTING COMMISSION, an) Arizona Supreme Court
Independent Constitutional Body,) No. CV-11-0313-SA
)
)
Petitioner,)
)
COLLEEN COYLE MATHIS) **FILED 11/17/2011**
)
)
Intervenor,)
)
v.)
)
)
JANICE K. BREWER, in her)
official capacity as the) **O R D E R**
Governor of the State of)
Arizona; ARIZONA STATE SENATE;)
RUSSELL PEARCE, in his official)
capacity as Senate President,)
)
)
Respondents.)
)
)

Having considered the filings in this matter by the petitioner, the intervenor, the respondents, and the amici curiae, and the arguments of counsel,

1. The Court accepts jurisdiction of the petition for special action, having concluded that it has jurisdiction under Article 6, Section 5(1) of the Arizona Constitution;
2. The Court concludes that the issues presented in this matter are not political questions and are therefore justiciable. See *Brewer v. Burns*, 222 Ariz. 234, 238-39 ¶¶ 16-22, 213 P.3d 671, 675-76 (2009);
3. The Court concludes that the letter of November 1, 2011, from the Acting Governor to the intervenor Colleen Mathis does not demonstrate "substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office" by the intervenor Mathis, as required under Article 4, Part 2, Section 1(10) of the Arizona Constitution;

Therefore, the Court grants the relief requested by the intervenor Mathis and orders that she be reinstated as chair of the Independent Redistricting Commission.

The Court in due course will issue an opinion more fully detailing its reasoning in this matter.

DATED this _____ day of November, 2011.

FOR THE COURT

Andrew D. Hurwitz, Vice Chief Justice

TO:

Mary R. O'Grady
Kristin L. Windtberg
Joseph N. Roth
Timothy A. Nelson
Lisa T. Hauser
Joe Sciarrotta
Christopher Hering
Christina Estes-Werther
Thomas A. Zlaket
Andrew S. Gordon
Roopali Hardin Desai
A. Melvin McDonald, Jr.
Lori L. Voepel
Gregrey G. Jernigan
Timothy M. Hogan
Joy E. Herr-Cardillo
Michelle Begay
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