

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

LC2015-000172-001 DT

06/12/2015

THE HON. CRANE MCCLENNEN

CLERK OF THE COURT

J. Eaton

Deputy

LEGACY FOUNDATION ACTION FUND

BRIAN M BERGIN

v.

CITIZENS CLEAN ELECTIONS COMMISSION
(001)

MARY R O'GRADY

OFFICE OF ADMINISTRATIVE
HEARINGS
REMAND DESK-LCA-CCC

ADMINISTRATIVE REVIEW DISMISSED

On March 27, 2015, Appellee the Arizona Citizens Clean Elections Commission (AzCCEC) issued its final administrative decision. On April 14, 2015, Appellant the Legacy Foundation Action Fund (LFAF) filed a Notice of Appeal and Complaint for Judicial Review of Administrative Decision.

On May 4, 2015, AzCCEC filed a Motion To Dismiss contending LFAF had 14 days within which to file its Notice of Appeal, which would have been April 10, 2015. AzCCEC cites for authority A.R.S. § 16-957(B) and *Smith v. Arizona Citizens Clean Elections Comm'n*, 212 Ariz. 407, 132 P.3d 1187, ¶ 25 (2006). On May 12, 2015, LFAF filed a Response, and on May 26, 2015, AzCCEC filed a Reply. This Court agrees with the authorities and arguments presented by AzCCEC and adopts those authorities and arguments in support of its decision.

IT IS THEREFORE ORDERED granting the Motion To Dismiss filed by AzCCEC.

IT IS FURTHER ORDERED dismissing this cause of action.

IT IS FURTHER ORDERED Court Administrative shall show this cause of action closed.

IT IS FURTHER ORDERED, because this Court is dismissing this cause of action, this Court considers all other pending matters as moot.

IT IS FURTHER ORDERED, to the extent this Order could be construed as a “judgment,” this court advises that no further matters remain pending, thus this “judgment” is entered pursuant to Rule 54(c).

IT IS FURTHER ORDERED signing this minute entry as a formal Order of the Court.

/s/ Crane McClennen

THE HON. CRANE MCCLENNEN
JUDGE OF THE SUPERIOR COURT

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