

UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

October 1, 2020

Christopher M. Wolpert  
Clerk of Court

MICHEAL BACA; POLLY BACA;  
ROBERT NEMANICH,

Plaintiffs - Appellants,

v.

COLORADO DEPARTMENT OF  
STATE,

Defendant - Appellee.

No. 18-1173  
(D.C. No. 1:17-CV-01937-WYD-NYW)  
(D. Colorado)

INDEPENDENCE INSTITUTE;  
DAVID G. POST; DEREK T. MULLER;  
MICHAEL L. ROSIN; ROBERT M.  
HARDAWAY, Professor of Law,  
University of Denver Sturm College of  
Law; COLORADO REPUBLICAN  
COMMITTEE,

Amici Curiae.

**ORDER AND JUDGMENT\***

Before **BRISCOE**, **HOLMES**, and **McHUGH**, Circuit Judges.

This matter is remanded to the district court with instructions to conduct any further proceedings that may be necessary in light of the Supreme Court's decisions

\* This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. But it may be cited for its persuasive value. *See* Fed. R. App. P. 32.1; 10th Cir. R. 32.1.

in *Colorado Department of State v. Micheal Baca, et al.*, 140 S. Ct. 2316 (2020) (mem.) (per curiam), and *Chiafalo, et al. v. Washington*, 140 S. Ct. 2316 (2020).

The Clerk shall issue the mandate forthwith.

Entered for the Court

Carolyn B. McHugh  
Circuit Judge