

USCA DOCKET # 10-16645

**UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT
CIVIL APPEALS DOCKETING STATEMENT**

PLEASE ATTACH ADDITIONAL PAGES IF NECESSARY.

TITLE IN FULL: United States of America, Plaintiff-Appellee, v. State of Arizona and Janice K. Brewer, Governor of The State of Arizona, In Her Official Capacity, Defendants-Appellants	DISTRICT: District of Arizona JUDGE: Susan R. Bolton	
	DISTRICT COURT NUMBER: CV 10-1413-PHX-SRB	
	DATE NOTICE OF APPEAL FILED: 7/29/2010	IS THIS A CROSS-APPEAL? <input type="checkbox"/> YES
	IF THIS MATTER HAS BEEN BEFORE THIS COURT PREVIOUSLY, PLEASE PROVIDE THE DOCKET NUMBER AND CITATION (IF ANY):	
BRIEF DESCRIPTION OF NATURE OF ACTION AND RESULT BELOW: Lawsuit and Motion for Preliminary Injunction by Plaintiff-Appellee United States of America to enjoin enforcement of the "Support Our Law Enforcement and Safe Neighborhoods Act," as amended ("SB 1070"). The district court granted in part and denied in part the motion for preliminary injunction.		
PRINCIPAL ISSUES PROPOSED TO BE RAISED ON APPEAL: Whether the District Court relied on an erroneous legal premise or abused its discretion in issuing the preliminary injunction.		
PLEASE IDENTIFY ANY OTHER LEGAL PROCEEDING THAT MAY HAVE A BEARING ON THIS CASE (INCLUDE PENDING DISTRICT COURT POST-JUDGMENT MOTIONS): Six additional cases are pending in the U.S. District Court for the District of Arizona in which the plaintiffs seek to enjoin enforcement of SB 1070: (1) <i>Escobar v. Brewer, et al.</i> , No. CV 10-249-TUC-SRB; (2) <i>Salgado v. Brewer, et al.</i> , No. CV 10-951-PHX-SRB; (3) <i>National Coalition of Latino Clergy & Christian Leaders v. Arizona, et al.</i> , No. CV 10-943-PHX-SRB; (4) <i>Friendly House, et al. v. Whiting, et al.</i> , No. CV 10-1061-PHX-SRB; (5) <i>Frisancho v. Brewer, et al.</i> , Case No. CV10-00926-PHX-SRB; AND (6) <i>League of United Latin America Citizens, et al. v. Arizona et al.</i> , Case No. CV10-001453-PHX-NVW. Motions to dismiss and motions for preliminary injunction have been fully briefed and argued in the <i>Salgado</i> and <i>Friendly House</i> cases but no other orders have been issued as of this date.		
DOES THIS APPEAL INVOLVE ANY OF THE FOLLOWING: <input type="checkbox"/> Possibility of settlement <input type="checkbox"/> Likelihood that intervening precedent will control outcome of appeal <input checked="" type="checkbox"/> Likelihood of a motion to expedite or to stay the appeal, or other procedural matters (Specify: <u>Defendants-Appellants are filing concurrently with this docketing statement a Motion Pursuant to Circuit Rules 27-12 and 34-3 to Expedite Briefing and Hearing Schedule For Preliminary Injunction Appeal</u>) <input type="checkbox"/> Any other information relevant to the inclusion of this case in the Mediation Program _____ <input type="checkbox"/> Possibility parties would stipulate to binding award by Appellate Commissioner in Lieu of Submission to judges		

LOWER COURT INFORMATION

JURISDICTION		DISTRICT COURT DISPOSITION	
FEDERAL	APPELLATE	TYPE OF JUDGMENT/ ORDER APPEALED	RELIEF
<input checked="" type="checkbox"/> Federal Question <input type="checkbox"/> Diversity <input type="checkbox"/> Other (Specify):	<input type="checkbox"/> Federal Decision of District Court <input checked="" type="checkbox"/> Interlocutory Decision Appealable As of Right <input type="checkbox"/> Interlocutory Order Certified by District Judge (Specify): <input type="checkbox"/> Other (Specify):	<input type="checkbox"/> Default Judgment <input type="checkbox"/> Dismissal/Jurisdiction <input type="checkbox"/> Dismissal/Merits <input type="checkbox"/> Summary Judgment <input checked="" type="checkbox"/> Judgment/Court Decision <input type="checkbox"/> Judgment/Jury Verdict <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Judgment as a Matter of Law <input type="checkbox"/> Other (Specify):	<input type="checkbox"/> Damages: Sought \$ <u>N/A</u> <input type="checkbox"/> Awarded \$ <u>N/A</u> <input type="checkbox"/> Injunctions: <input checked="" type="checkbox"/> Preliminary <input type="checkbox"/> Permanent <input checked="" type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Attorney Fees: Sought \$ _____ Awarded \$ _____ <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Costs: _____
CERTIFICATION OF COUNSEL			
<p>I CERTIFY THAT:</p> <ol style="list-style-type: none"> 1. Copies of Order/Judgment Appealed Form Are Attached. 2. A Current Service List or Representation Statement With Telephone and Fax Numbers Are Attached (See 9th Cir. Rule 3-2). 3. A Copy of This Civil Appeals Docketing Statement Was Served in Compliance with FRAP 25. 4. I Understand That Failure to Comply With These Filing Requirements May Result in Sanctions, including Dismissal of This Appeal. 			
_____ s/ Joseph G. Adams Signature		_____ July 29, 2010 Date	
COUNSEL WHO COMPLETED THIS FORM			
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<input type="checkbox"/> This Document Should Be Filed in The District Court With The Notice of Appeal <input type="checkbox"/> <input type="checkbox"/> If Filed Late, it Should Be Filed Directly With the U.S. Court of Appeals <input type="checkbox"/>			

REPRESENTATION STATEMENT/SERVICE LIST

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