

No. 10-16645

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

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.

Appeal from the United States
District Court for the District of
Arizona

No. CV 10-1413-PHX-SRB

**APPELLANTS' MOTION FOR LEAVE TO FILE A RESPONSE TO THE
AMICUS CURIAE BRIEF OF THE UNITED MEXICAN STATES**

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Attorneys for Defendants-Appellants State of Arizona and Janice K. Brewer,
Governor of the State of Arizona

Appellants State of Arizona and Janice K. Brewer, Governor of the State of Arizona, respectfully move for leave of Court to submit a brief in response to the Brief of Amicus Curiae filed by the United Mexican States (“Mexico”) in support of Appellee United States of America.

Mexico recently contacted Appellants State of Arizona and Governor Brewer and Appellee United States of America seeking consent to file an amicus brief. Although counsel for the United States consented to the filing, the State of Arizona and Governor Brewer refused to consent, and oppose Mexico’s motion for leave to file an amicus brief in this appeal.

Despite the United States’ consent to Mexico’s filing, Governor Brewer and the State of Arizona respectfully submit that the opinions of foreign governments have no bearing on whether a state law providing for cooperative enforcement of federal immigration law in Arizona complies with the United States Constitution. In addition, Mexico’s brief raises issues that are unsupported by the facts in the record and have little relevance to the issues presented in this preliminary injunction appeal and should therefore be rejected.

However, the Court granted all pending motions for leave to submit amicus briefs on October 4, 2010, only two court days after they were filed. Accordingly,

Arizona requests leave to submit a short brief in response to the issues raised by Mexico in its amicus brief.

Dated: October 5, 2010

SNELL & WILMER L.L.P.
John J. Bouma
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By: s/John J. Bouma
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CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2010, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the CM/ECF registrants on record.

s/John J. Bouma