**FILED** 

## UNITED STATES COURT OF APPEALS

SEP 28 2010

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK U.S. COURT OF APPEALS

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.

No. 10-16645

D.C. No. 2:10-cv-01413-SRB District of Arizona, Phoenix

**ORDER** 

Appellants' August 26, 2010 request for judicial notice is referred to the panel that will hear the merits of this appeal for whatever consideration the panel deems appropriate.

FOR THE COURT:

Molly Dwyer Clerk of Court

By: Kathleen Boergers Motions Attorney/Deputy Clerk 9th Cir. R. 27-7 General Orders/Appendix A