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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

The United States of America,
Plaintiff,

vs.

The State of Arizona; Janice K. Brewer,
Governor of the State of Arizona, in her
official capacity,
Defendants.

The State of Arizona; Janice K. Brewer,
Governor of the State of Arizona, in her
official capacity,
Counterclaimants,

vs.

The United States of America; the United
States Department of Homeland Security;
Janet Napolitano, Secretary of the United
States Department of Homeland Security,
in her official capacity; the United States
Department of Justice; and Eric H. Holder,
Jr., Attorney General for the United States
Department of Justice, in his official
capacity,
Counterdefendants.

No. CV 10-1413-PHX-SRB

ORDER

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Pending before the Court is a Renewed Motion by Minuteman Civil Defense Corps, a Project of Declaration Alliance for Leave to File Amicus Brief of Minuteman Civil Defense Corps, a Project of Declaration Alliance, in Support of Counterclaimants' Opposition to Counterdefendants' Motion to Dismiss. The Court previously denied the Minuteman Civil Defense Corps (MCDC) Motion for Leave to File an *Amicus Curiae* Brief noting the lack of any cited rule or law permitting *amicus* briefs on motions such as the one before the Court. MCDC has now moved for reconsideration of the Court's prior order. While MCDC has cited authority where *amici* have been permitted before the district court the question of the appearance of *amici* at district court was not the basis for the Court's prior denial. MCDC wants to file a brief in connection with a motion to dismiss. MCDC has not persuaded the Court that its prior order was in error or that the Court's denial of leave was an abuse of discretion.

IT IS ORDERED denying the Renewed Motion by Minuteman Civil Defense Corps, a Project of Declaration Alliance for Leave to File Amicus Brief of Minuteman Civil Defense Corps, a Project of Declaration Alliance, in Support of Counterclaimants' Opposition to Counterdefendants' Motion to Dismiss (Doc. 167).

DATED this 7th day of July, 2011.



Susan R. Bolton
United States District Judge