

## ARIZONA SUPREME COURT

KARI LAKE,

*Plaintiff/Appellant,*

v.

KATIE HOBBS, *et al.*,

*Defendants/Appellees.*

KARI LAKE,

*Petitioner,*

v.

THE HONORABLE PETER THOMPSON, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,

*Respondent Judge,*

KATIE HOBBS, personally as Contestee; ADRIAN FONTES, in his official capacity as Secretary of State; STEPHEN RICHER, in his official capacity as Maricopa County Reporter, *et al.*,

*Real Parties in Interest.*

Court of Appeals  
Division One

No. 1 CA-CV 22-0779

No. 1 CA-SA 22-0237

(CONSOLIDATED)

Maricopa County  
Superior Court  
No. CV2022-095403

### **PETITIONER'S PROCEDURAL MOTION TO EXPEDITE REVIEW OF PETITION FOR REVIEW OF A SPECIAL ACTION DECISION OF THE COURT OF APPEALS**

ARPSA 8(d)

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Petitioner Kari Lake respectfully moves this Court to expedite the consideration of her appeal of court of appeals' decision in her consolidated appeal and special action. In support of her motion, petitioner Lake avers as follows:

1. By Order dated January 9, 2023, the Court of Appeals consolidated Lake's appeal (No. 1 CA-CV 22-0779) and her special action appeal (No. 1 CA-SA 22-0237) and accepted jurisdiction in the special action appeal.
2. By Order dated January 27, 2023, the Court of Appeals granted Lake's motion to accelerate the consolidated appeal. By operation of Rule 29(f), Ariz.R.Civ.App.P., Lake's petition warrants in this Court
3. In addition, Rule 8(d), Ariz.R.P.Spec.Act., authorizes a "party seeking ... expedited processing of the petition for review [to] file a motion in the Supreme Court.
4. Pursuant to Rule 8(d), Ariz.R.P.Spec.Act., petitioner Lake respectfully moves this Court to expedite the processing of her petition for review in these consolidated cases.
5. This case presents important issues under Arizona election law, including (a) whether election officials can violate non-technical ballot-integrity measures—such as chain-of-custody requirements and logic-and-accuracy testing of voting equipment—without repercussion, based on courts' denying review because the contestant or plaintiff cannot show the exact number of effected voters, contrary

to this Court's longstanding decisions that nonquantifiable election interference is actionable. *Hunt v. Campbell*, 19 Ariz. 254, 265-66 (1917); *Findley v. Sorenson*, 35 Ariz. 265, 269 (1929); *Huggins v. Superior Court*, 163 Ariz. 348, 350 (1990).

6. Expeditious action to resolve these issues is needed to safeguard Arizona voters' right to free and equal elections. Ariz. Const. art. II, §21.

7. Petitioner Lake files this motion contemporaneously with filing her petition for review.

WHEREFORE, for the reasons set forth above, petitioner Lake respectfully requests that the Court grant her motion to expedite her petition for review.

Dated: March 1, 2023

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Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

I certify that, on March 1, 2023, I electronically filed with the Arizona Supreme Court, using the AZ Turbo Court e-filing system, Petitioner's Procedural Motion to Expedite Review of Petition for Review of a Special Action Decision of the Court of Appeals. On that date, I also caused a copy of the same to be emailed to:

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