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10 ARIZONA SUPERIOR COURT

11 MOHAVE COUNTY

12 TED BOYD, et al.,

13 Plaintiffs/Contestants,

14 v.

15 KRIS MAYES,

16 Defendant/Contestee,

17 and

18 KATIE HOBBS, et al.,

19 Defendants.  
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No. S8015CV202201468

**DEFENDANT KRIS MAYES'  
RESPONSE TO PLAINTIFFS' MOTION  
FOR AN ORDER REFLECTING  
ADDITIONAL RULINGS OF THE  
COURT**

(Assigned to the Hon. Lee F. Jantzen)

1 Defendant/Contestee Kris Mayes respectfully responds to Plaintiffs’ post-trial “Motion  
2 for an Order Reflecting Additional Rulings of the Court” (“Motion” or “Mot.”). In this Motion  
3 (at 3), Plaintiffs urge the Court to repeat rulings it already made, to revamp the record on a  
4 motion Plaintiffs never made, and to prop open the door for “subsequent motions” that Plaintiffs  
5 perhaps might make—“in regard to the December 23, 2022” trial that has already concluded.  
6 But this case is over. And Plaintiffs’ Motion should be denied, for at least three reasons.

7 *First*, Plaintiffs’ Motion (at 3)—seeking to document “the happenings in front of this  
8 Court”—is neither necessary nor appropriate. The record is sufficiently captured in this Court’s  
9 December 20 order, the December 22 minute entry, the hearing transcripts, and the Court’s (post-  
10 trial) order yesterday denying Plaintiffs’ claims. Despite this record, Plaintiffs request a ruling  
11 denying “[their] motion to for [sic] expedited discovery.” [Proposed Order at 3] But this Court  
12 already rejected it by limiting “discovery in th[is] case[] by way of ballot inspection.”  
13 [12/20/2022 Order at 3] Similarly, Plaintiffs request a ruling on their “motion to continue the  
14 trial” that finished six days ago. [Proposed Order at 3] But even assuming this “suggestion”—as  
15 Plaintiffs’ counsel called it at the December 22 hearing—was a motion, the Court resolved it at  
16 that hearing and before trial. [12/22/2022 Min. Entry at 4 (“The Court notes the Evidentiary  
17 Hearing shall go forward tomorrow, Friday, December 23, 2022, starting at 9:00 a.m.”)]

18 *Second*, Plaintiffs’ proposed order is not, as they contend, “simply an accurate rendition”  
19 of the record. [Mot. at 3] Plaintiffs request an order denying “[their] motion to *continue*  
20 inspecting ballots.” [Proposed Order at 3 (emphasis added)] But Plaintiffs did not make any such  
21 motion. Certainly, the record reflects that on December 12 Plaintiffs filed their Verified Petition  
22 to Inspect Ballots and that at the December 22 hearing Plaintiffs reiterated their “request . . . to  
23 conduct the ballot inspection.” [12/22/2022 Min. Entry at 3] But this (repeat) request was not a  
24 motion—or, at least, not a motion to “continue” an inspection into the next week. *See* Ariz. R.

1 Civ. P. 7.1(a)(1) (“An application to the court for an order must be by motion which, unless  
2 made during a hearing or trial, must be in writing, state with particularity the grounds for granting  
3 the motion, and set forth the relief or order sought.”). In any event, at the December 23 trial  
4 “Counsel La[Sota state[d] that they will renew their petition to inspect ballots.” [12/22/2022  
5 Min. Entry] But Plaintiffs did not file any such petition “to continue inspecting ballots,” as they  
6 claim. [See Proposed Order at 3] Plaintiffs cannot now revamp the record to reserve this issue  
7 for appeal.

8 *Third*, though Plaintiffs’ (post-trial) Motion (at 3) promises “not [to] inhibit the ability of  
9 *any other party* to make further motions to this Court,” Plaintiffs’ Proposed Order (at 3) is not  
10 so limited, attempting to prop open the door for any “subsequent motions *of the parties*.” But,  
11 again, this case is over. And, as of now, not much else remains except to rule on any attorneys’  
12 fees motion and to enter judgment, as Arizona law directs. *See* A.R.S. § 16-676(B) (“After  
13 hearing the proofs and allegations of the parties [in an election contest], and within five days  
14 after the submission thereof, the court shall file its findings and immediately thereafter shall  
15 pronounce judgment, either confirming or annulling and setting aside the election.”).

16 Accordingly, this Court should deny Plaintiffs’ Motion and should enter judgment, as  
17 A.R.S. § 16-676(B) directs.

1 Dated: December 22, 2022

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