



# Supreme Court

STATE OF ARIZONA

**ROBERT BRUTINEL**  
Chief Justice

ARIZONA STATE COURTS BUILDING  
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**TRACIE K. LINDEMAN**  
Clerk of the Court

September 12, 2023

**RE: AMANDA ROOT et al v CITY OF SIERRA VISTA**  
Arizona Supreme Court No. CV-23-0080-PR  
Court of Appeals, Division Two No. 2 CA-CV 21-0130  
Cochise County Superior Court No. CV202100078

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on September 12, 2023, in regard to the above-referenced cause:

**ORDERED: Petition for Review = GRANTED.**

**IT IS FURTHER ORDERED** vacating the memorandum decision of the court of appeals.

**IT IS FURTHER ORDERED** vacating the superior court's dismissal of Plaintiffs/Appellants' complaint and vacating the superior court's judgment in favor of Defendant/Appellee.

**IT IS FURTHER ORDERED** remanding this case to the trial court to permit the Defendant/Appellee to file an answer or other responsive pleading to the complaint and raise any applicable defenses. If the Defendant/Appellee raises as an affirmative defense that the Plaintiffs/Appellants failed to exhaust administrative remedies, the Plaintiffs/Appellants should be given an opportunity to address that issue, and the superior court should rule on that issue in the first instance.

Tracie K. Lindeman, Clerk

TO:

Paul V Avelar

John Wrench

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Michael R Shumway

Beth C Beckmann

John Schow

Hon Amy Hunley

Hon Timothy B Dickerson

Hon David Thorn

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