

IN THE  
COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION ONE



DIVISION ONE  
FILED: 2/10/21  
AMY M. WOOD,  
CLERK  
BY: RB

DESERT MOUNTAIN ENERGY CORP, ) Court of Appeals  
) Division One  
Petitioner, ) No. 1 CA-SA 21-0019  
)  
v. ) Coconino County  
) Superior Court  
THE HONORABLE CATHLEEN BROWN ) No. CV2020-00624  
NICHOLS, Judge of the SUPERIOR )  
COURT OF THE STATE OF ARIZONA, )  
in and for the County of )  
COCONINO, )  
)  
Respondent Judge, )  
)  
THE CITY OF FLAGSTAFF, )  
)  
Real Party in Interest. )  
\_\_\_\_\_ )

**ORDER DECLINING SPECIAL ACTION JURISDICTION**

The Court, Presiding Judge Jennifer M. Perkins, Judge Randall M. Howe, and Judge Maria Elena Cruz participating, has reviewed Petitioner's petition for special action and appendix filed February 8, 2021. After consideration,

**IT IS ORDERED** that the Court of Appeals, in the exercise of its discretion, declines to accept special action jurisdiction.

**IT IS FURTHER ORDERED** this court's previous order setting dates and directing filing and service is vacated.

/s/  
\_\_\_\_\_  
JENNIFER M. PERKINS, Presiding Judge

A copy of the foregoing  
was sent to:

Lisa Anne Smith  
Sesaly O Stamps  
Lee A Storey  
Sara V Ransom  
Christopher D Thomas  
P Derek Petersen  
Hon Cathleen Brown Nichols