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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Center for Biological Diversity, et al.,  
Plaintiffs,  
v.  
United States Forest Service,  
Defendant.

No. CV-12-08176-PCT-SMM  
**ORDER**

Before the Court is the State of Arizona’s Amicus Curiae Brief in Support of Dismissal. (Doc. 159.) The State’s *amicus curiae* brief (“amicus brief”) was filed under the titled “First Motion to File Amicus Curiae Brief.” (Id.) However, the filing does not include a motion to file an amicus brief; the filing only includes the amicus brief, itself. (Id.)

Because this Court does not have specific rules governing amicus briefs, the Court looks to the Rules of the Supreme Court of the United States. To file an amicus brief, a motion for leave is necessary where the amicus brief does not reflect that written consent of all parties has been provided. U.S. Sup. Ct. R. 37.2(a). However, no motion for leave is necessary if the amicus brief is filed on behalf of a federal, state, county, town, or similar governmental entity when submitted on behalf of its authorized legal officer. Id. at 37.4.

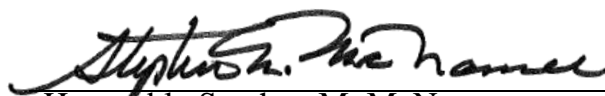
Here, counsel’s amicus brief has been submitted on behalf of the State of Arizona and on behalf of Attorney General Mark Brnovich. As a result, the State of Arizona need not file a motion for leave to file its amicus brief. Therefore, the Court will approve the filing of the State of Arizona’s Amicus Curiae Brief in Support of Dismissal.

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Accordingly,

**IT IS HEREBY ORDERED** granting the State of Arizona’s First Motion to File Amicus Curiae Brief. (Doc. 159.)

Dated this 13th day of December, 2019.



Honorable Stephen M. McNamee  
Senior United States District Judge