

Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203	
Appeal Pursuant to C.R.S. 1-1-113 District Court, City and County of Denver, 2013CV33491	
Plaintiffs-Appellees: Libertarian Party of Colorado; Richard N. Anglund; Gordon Roy Butt; Scott Gessler, in his official capacity as Secretary of State of the State of Colorado; and Wayne W. Williams; v. Defendants-Appellants: Gilbert Ortiz, in his official capacity as Pueblo County Clerk and Recorder and Robert W. Nemanich.	Supreme Court Case No: 2013SA206
ORDER OF COURT	

Upon consideration of the Emergency Notices of Appeal; the Petition for Emergency Relief Under § 1-1-113(1), C.R.S. and Complaint for Declaratory Judgment; the Joint Motion by Appellants Ortiz and Neimanich for Emergency Order Staying District Court’s Final Judgment Issued August 12, 2013 Pending Appeal; the Secretary’s Response to Appellants’ Motion for Emergency Order Staying District Court’s Final Judgment Issued August 12, 2013 Pending Appeal; the Response of Appellees Libertarian Party of Colorado and Gordon Roy Butt in Opposition to Appellants’ Emergency Motion for an Order Staying Trial Court’s August 12, 2013 Order; and Appellant’s Joint Reply in Support of Motion for Emergency Order Staying District Court’s Final Judgment Issued August 12, 2013

Pending Appeal filed in the above cause, and now being sufficiently advised in the premises,

Whereas, CHIEF JUSTICE BENDER and JUSTICES COATS AND MÁRQUEZ would review the proceedings pursuant to § 1-1-113(3) C.R.S. and grant the request for stay in this matter; JUSTICES RICE, EID AND BOATRIGHT would decline to review the proceedings pursuant to § 1-1-113(3) C.R.S. and deny the request for stay in this matter and JUSTICE HOBBS does not participate,

IT IS ORDERED that by operation of law pursuant to C.A.R. 35(e), the decision of the district court in this matter is final and is not subject to further appellate review.

IT IS FURTHER ORDERED that the request for stay of proceedings is DENIED.

BY THE COURT, EN BANC, AUGUST 15, 2013.
JUSTICE HOBBS not participating.