

No. 19-518

In the

Supreme Court of the United States

COLORADO DEPARTMENT OF STATE,
Petitioner,

v.

MICHEAL BACA, POLLY BACA, AND ROBERT NEMANICH,
Respondents.

MOTION FOR LEAVE TO DISPENSE WITH PREPARATION OF A JOINT APPENDIX

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Under Supreme Court Rule 26.8, Petitioner Colorado Department of State respectfully seeks leave to dispense with the requirement of printing a joint appendix in this case. Counsel for Respondents Micheal Baca, Polly Baca, and Robert Nemanich concur in this motion.

The Court previously granted the Department's request for an extension of time through April 1, 2020 to prepare the joint appendix, enabling the Department's counsel to first review Respondents' brief before deciding what relevant portions of the record (if any) should be included in the joint appendix. Having now reviewed Respondents' brief, the Department does not believe any additional portions of the record need to be included in a joint appendix. The relevant portions of the record in this case are already included in the appendix to the Department's petition for a writ of certiorari, including the operative complaint, the district court's opinion, and the court of appeals' opinion.

The parties have conferred and do not believe that any other portions of the record in this case warrant the preparation and expense of a joint appendix. A separate joint appendix would not materially assist the Court in its consideration of this case. The Court has already

dispensed with the requirement of a joint appendix in the related case arising out of Washington, *Chiafalo v. Washington*, No. 19-465. Thus, Petitioner respectfully request that this motion to dispense with printing a joint appendix in this appeal, *Colorado Department of State v. Baca*, No. 19-518, be granted.

Dated April 1, 2020.

PHILIP J. WEISER
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/s/ Eric R. Olson

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