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IN THE UTAH SUPREME COURT

ACLU OF UTAH, et al.,
Plaintiffs-Petitioners,

v.

STATE OF UTAH, et al.,
Defendants-Respondents.

MOTION FOR VOLUNTARY DISMISSAL
OF REMAINING COUNTY
RESPONDENTS

Case No. 20200281

Pursuant to Utah R. App. P. 37, the ACLU of Utah, Disability Law Center, Utah Association of Criminal Defense Attorneys (“Petitioners”), hereby move this honorable Court to dismiss without prejudice the following Defendants-Respondents from the Petition for Extraordinary Relief filed on April 1, 2020:

Utah County, Tooele County, Carbon County, Beaver County, Box Elder County, Duchesne County, Emery County, Garfield County, Iron County, Juab County, Kane County,

Millard County, Morgan County, Piute County, Sanpete County, San Juan County, Salt Lake County, Sevier County, Wasatch County, Washington County, Wayne County, and Weber County, as well as all of their sheriffs in their official capacities.

This Motion is made after Petitioners' thorough review of the record before this Court, including information only made available through this litigation marked as "Attorney's Eyes Only", where the information was otherwise not made available upon request to Petitioners prior to and during the commencement of the above-captioned case. Petitioners acknowledge that there is substantial compliance among most counties with the Petition's requested relief, but also acknowledge the need to remain vigilant on issues facing incarcerated populations during the COVID-19 pandemic.

Petitioners' voluntary dismissal is limited to the above-named Defendants-Respondents, and does not apply to any other Defendants-Respondents named in the Petition for Extraordinary Relief.

WHEREFORE, Petitioners respectfully move this honorable Court to dismiss the above-named Defendants-Respondents without prejudice.

Respectfully Submitted,

/s/ John Mejia
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 13, 2020 (except as indicated below), I sent copies of the Motion for Voluntary Dismissal of Remaining Counties in Case No. 20200281 via electronic mail to the following State Attorneys, County Attorneys, and Attorneys for Crime Victims and Victims Representatives:

State Defendants – Tyler Green, tylergreen@agutah.gov

Salt Lake County – Sim Gil, districtattorney@slco.org and Darcy Goddard,
dgoddard@slco.org

Counsel for Response in Petition for Writ for the following Respondent Counties: Utah, Tooele, Carbon, Beaver, Garfield, Duchesne, Box Elder, Emery, Iron, Juab, Millard, Kane, Morgan, Piute, San Juan, Sanpete, Sevier, Uintah, Wasatch, Washington, Wayne, and Weber – Frank Mylar, mylar-law@comcast.net

Counsel for Victims and Victims’ Representatives - Paul Cassell, cassellp@law.utah.edu; Heidi Nestel, heidi@utahvictimsclinic.org; and C. Bethany Warr, bethany@utahvictimsclinic.org.

/s/John Mejia