

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2026-014149

04/14/2026

HONORABLE MICHAEL MANDELL

CLERK OF THE COURT

C. Curley

Deputy

TERI HOUIHAN

TERI HOUIHAN

6635 W HAPPY VALLEY RD

STE A1-4-621

GLENDAL AZ 85310

SAMBO DUL

AUSTIN C YOST

KELLEEN R MULL

v.

HUGH LYTLE, et al.

JAMES DEMOSTHENES SMITH

KESIA MORRISON

DANIEL JURKOWITZ

JOE A ALBO JR.

ROSA AGUILAR

ROSE WINKELER

GARY GRIFFITH

MICHAEL J GORDON

CHRIS RESARE

JASON MOORE

CRAIG C CAMERON

ROBERT F MAY

RACHEL SHACKELFORD

WILLIAM DAVIS

KAREN HARTMAN-TELLEZ

DYLAN HENDEL

ANDREW GEORGE PAPPAS

STEFAN D OAKLEY

JOSHUA J MESSER

DANIEL L ROSEN

D MICHELLE BEUS

SUPERIOR COURT OF ARIZONA  
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WILLIAM J KEREKES  
BRETT A GIBSON  
THOMAS M STOXEN  
IAN M DARANYI  
DANIELLE PARLICH  
WILLIAM MORAN  
CHERALEE W ROBBINS  
JOSHUA MICHAEL WHITAKER  
JAYLIA YAN  
DANIEL SEBASTIAN RESTREPO  
DOCKET CV TX  
JUDGE MANDELL  
MACIE HAMBLIN  
GILA COUNTY ATTORNEY'S OFFICE  
1400 E ASH ST  
GLOBE AZ 85501

**UNDER ADVISEMENT RULING**

The Court has reviewed and considered Plaintiff Craig Beckman's Cross-Motion for Summary Judgment, Defendant Hugh Lytle's Motion for Summary Judgment, the Joint Statement of Facts (all filed on April 13, 2026), together with the oral arguments presented by the parties, and the authorities cited in the filed papers. Having considered the record as a whole and the parties' stipulation for decision on summary judgment, the Court finds no genuine dispute of material fact and concludes that Defendant Hugh Lytle is entitled to judgment as a matter of law.

The Court also wishes to thank you parties for the professionalism demonstrated both in the pleadings as well as the arguments presented as part of this consolidated matter (including CV2026-014350).

**STIPULATED FACTS**

The material facts are undisputed for purposes of the cross-motions. Hugh Lytle is a candidate for Governor of Arizona. His nomination paper and nomination petitions listed an address in Scottsdale, Arizona, with an 85250 zip code as his residential address. The parties stipulated that this address is a private mailbox in a UPS Store, that Mr. Lytle has received mail

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there for approximately twelve years, and that his campaign website has listed that same address as the campaign's address since the inception of his gubernatorial campaign.

The parties also stipulated that Mr. Lytle resides at 20044 N 101st Way, Scottsdale, Arizona 85255. The two addresses are both located in Scottsdale, Arizona, and are approximately twelve miles apart. The UPS Store address is in Legislative District 4, while the residential address is in Legislative District 3. It is also undisputed that Mr. Lytle's address has never been protected under A.R.S. § 16-153, that he is the only person by that name registered to vote in Arizona during the campaign, and that he is a candidate for statewide office.

### LEGAL STANDARD

Summary judgment is appropriate only if no genuine issue of material fact exists and the moving party is entitled to judgment as a matter of law. *See* Rule 56(a), Arizona Rules of Civil Procedure; *Orme School v. Reeves*, 166 Ariz. 301, 305, 802 P.2d 1000, 1004 (1990); *Hourani v. Benson Hosp.*, 211 Ariz. 427, 432, 122 P.3d 6, 11 (App. 2005).

In election challenges to the form or content of nomination papers and petitions, Arizona courts “do not remove candidates from the ballot for mere technical departures’ from the statutorily required forms.” *Dedolph v. McDermott*, 230 Ariz. 130, 131, ¶ 3, 281 P.3d 484, 485 (2012) (*quoting Bee v. Day*, 218 Ariz. 505, 507, ¶¶ 9–10, 189 P.3d 1078, 1080 (2008)). Instead, courts “assess whether nominating papers substantially comply with the statutory requirements.” *Id.* (*citing Bee*) (reversing trial court’s order striking from the ballot a candidate who incorrectly identified her surname in her nomination paper as “Cheuront-McDermott” rather than “McDermott”). The substantial-compliance inquiry focuses on whether the omission or inaccuracy could confuse or mislead electors signing the petition, and the documents must be evaluated as a whole. *See Moreno v. Jones*, 213 Ariz. 94, 102, ¶ 42, 139 P.3d 612, 620 (2006) (citation omitted) (holding that petitions specifying the year, but not the specific date, of primary election were not confusing because “there was only one primary that year for” the relevant legislative office).

### ANALYSIS

#### I. Nomination Papers

Plaintiff correctly asserts that Mr. Lytle did not strictly comply with the literal requirements of A.R.S. § 16-311(A). The parties stipulated that Mr. Lytle has an actual residence address, that he did not reside at the UPS Store address listed on the nomination paper, and that his address was not protected under A.R.S. § 16-153. Under the statute’s text, the nomination paper should have stated his actual residence address.

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But strict compliance is not the operative test. Under controlling Arizona authority, the Court must determine whether the nomination paper substantially complied with the statute before denying ballot access. *See Lohr v. Bolick*, 249 Ariz. 428, 431, ¶¶ 7-10, 471 P.3d 639, 642 (2020) (Arizona courts consider “whether nomination documents substantially compl[y] with statutory requirements even if the statute at issue does not expressly state substantial compliance is sufficient.”); *Dedolph*, 230 Ariz. at 131, ¶ 3, 281 P.3d at 485. The relevant inquiry, as instructed by the Arizona Supreme Court, **is whether the address used on the paper could confuse or mislead electors concerning the candidate’s eligibility for the office sought.** *See Lohr*, 249 Ariz. at 432-33, ¶¶ 11-12, 471 P.3d at 642-43; *Moreno*, 213 Ariz. at 102, ¶ 42, 139 P.3d at 620.

On this record, the Court finds that the address used in the nomination papers would not confuse, nor mislead electors concerning Mr. Lytle’s eligibility to run for Governor. Mr. Lytle is running for statewide office, not district, precinct, or municipal office. Both the UPS Store address and his physical residence are in Scottsdale. There is no dispute that Mr. Lytle has been an Arizona resident for many years, that he resides in Maricopa County, and that he satisfies the constitutional and statutory residency requirements for Governor. The purpose identified in *Lohr* and other cases for the statutory address requirement—ensuring that the candidate resides in the jurisdiction he seeks to represent—is fulfilled here.

The Court is not persuaded that the different legislative districts or zip codes compel a different result. Those facts may have carried greater significance had Mr. Lytle sought a district-based office. But this case concerns a statewide race. For that reason, the differences between Legislative District 3 and Legislative District 4, and between zip codes 85255 and 85250, do not reasonably suggest that electors could have been misled about whether Mr. Lytle was eligible to run for Governor of Arizona.

The Court likewise does not find dispositive the absence of protected-address status under A.R.S. § 16-153. *Lohr* expressly recognized lack of strict compliance while still applying substantial-compliance principles to nomination papers and petitions. Although the Supreme Court cautioned that candidates should use their actual residence addresses and that intentional deviation “flirts with disqualification,” the holding remains that ballot access is not forfeited where the challenged address usage, under the facts presented, did not likely confuse or mislead electors. *Lohr*, 249 Ariz. at 434, ¶ 24, 471 P.3d at 645.

Nor does the record establish the type of voter confusion that would warrant invalidating the nomination paper. Mr. Lytle had used the private mailbox for approximately twelve years, displayed it on his campaign website, and there is no evidence in the summary-judgment record that any elector was actually misled about his identity, his candidacy, or his eligibility for

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Governor. Viewing the nomination paper as a whole, the Court concludes that it substantially complied with A.R.S. § 16-311(A).

## **II. Nomination Petitions**

The same analysis governs the arguments concerning Mr. Lytle’s nomination petitions. Section 16-314(C) prescribes the form of nomination petitions and uses the phrase “who resides at” before the address line. The parties stipulate that the petitions used the UPS Store address rather than Mr. Lytle’s actual physical residence, and that the petitions included a one-digit error in the street number. Again, that is not strict compliance.

Nonetheless, as addressed previously, Arizona law holds that a candidate may substantially comply with A.R.S. § 16-314(C) even when the petition sheets list a private mailbox rather than the candidate’s physical residence, so long as the use of that address does not mislead or confuse voters regarding the candidate’s eligibility for the office sought. *See Lohr*, 249 Ariz. at 432-33, ¶¶ 14-19, 471 P.3d at 643-44. The substantial-compliance analysis likewise considers the petition as a whole. *See Bee*, 218 Ariz. at 508, ¶ 12, 189 P.3d at 1081

Here, the undisputed facts again establish substantial compliance. Mr. Lytle sought statewide office. The address appearing on the petitions was in Scottsdale, Arizona, where he in fact resided, albeit at a different Scottsdale address. He was the only registered voter in Arizona with that name throughout the campaign. No evidence in the record suggests that signers were confused about who was seeking nomination or about whether he met the residency requirements for Governor. The one-digit discrepancy in the street number does not materially alter the analysis; at most, it is an additional irregularity, and this record contains no basis to conclude that it affected the result or misled electors.

Considering the petitions as a whole and applying the substantial-compliance doctrine required by Arizona law, the Court concludes that the petitions substantially complied with A.R.S. § 16-314(C).

## **III. Plaintiff’s Cross-Motion**

Plaintiff’s cross-motion rests principally on the argument that the plain language of A.R.S. §§ 16-311(A) and 16-314(C) should be enforced without recourse to substantial-compliance principles because Mr. Lytle had an actual, unprotected residence address and knowingly used a different address. The Court does not minimize the seriousness of accurate candidate filings. But the Arizona Supreme Court requires this Court to apply the substantial-compliance framework to nomination-document challenges of this kind. Under that framework, and on the undisputed facts presented here, Plaintiff has not established a basis to remove Mr. Lytle from the ballot.

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Accordingly,

**IT IS ORDERED** granting Defendant Hugh Lytle's Motion for Summary Judgment.

**IT IS FURTHER ORDERED** denying Plaintiff Craig Beckman's Cross-Motion for Summary Judgment.

**IT IS FURTHER ORDERED** denying the request to enjoin placement of Defendant Hugh Lytle's name on the ballot for the office of Governor.

**IT IS FURTHER ORDERED** dismissing the verified Complaint, filed on April 6, 2026, with prejudice.

The Court finds this ruling disposes of all outstanding claims and issues in this case. Because no further matters remain pending, the Court signs this minute entry as a final judgment entered pursuant to Ariz. R. Civ. P. 54(c).

The parties are notified that, under A.R.S. § 16-351(A), any notice of appeal must be filed within five calendar days after the Superior Court's decision in a challenge to the nomination of a candidate. *See Bohart v. Hanna*, 213 Ariz. 480, 143 P.3d 1021 (2006). An appeal that is belatedly prosecuted, such as one filed on the last day of the statutory deadline, may be dismissed on grounds of laches even if timely filed. *See McClung v. Bennett*, 225 Ariz. 154, 235 P.3d 1037 (2010). Special procedural rules govern expedited appeals in election cases. Ariz. R. Civ. App. P.10.

*/s/ MICHAEL S. MANDELL*

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HONORABLE MICHAEL S. MANDELL  
JUDGE OF THE MARICOPA COUNTY SUPERIOR COURT