

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

MIRIAM FLORES, individually and
as a parent of Miriam Flores,
minor child; ROSA RZESLAWSKI,
individually and as a parent of
Mario Rzeslawski, minor child,
Plaintiffs-Appellees,

and

SPEAKER OF THE ARIZONA HOUSE OF
REPRESENTATIVES AND PRESIDENT OF
THE ARIZONA SENATE,

Intervenor,

v.

STATE OF ARIZONA,

Defendant-Appellee,

THOMAS C. HORNE, Superintendent
of Public Instruction,

Defendant-Appellant,

and

C. DIANE BISHOP, Superintendent
of Public Instruction; EUGENE
HUGHES; DAVID SILVA; CLAUDINE
BATES ARTHUR; JOHN HOSNER; KEN
BENNETT; RAY KELLIS; JIM ALLMAN;
MORRISON WARREN, members of
the State Board of Education,

Defendants.

No. 07-15603

D.C. No.
CV-92-00596-RCC
District of Arizona,
Tucson

MIRIAM FLORES, individually and
as a parent of Miriam Flores,
minor child; ROSA RZESLAWSKI,
individually and as a parent of
Mario Rzeslawski, minor child,
Plaintiffs-Appellees,

SPEAKER OF THE ARIZONA HOUSE OF
REPRESENTATIVES AND PRESIDENT OF
THE ARIZONA SENATE,
Intervenor-Appellant,

v.

STATE OF ARIZONA; C. DIANE
BISHOP, Superintendent of Public
Instruction; EUGENE HUGHES;
DAVID SILVA; CLAUDINE BATES
ARTHUR; JOHN HOSNER; KEN
BENNETT; RAY KELLIS; JIM ALLMAN;
MORRISON WARREN, members of
the State Board of Education;
THOMAS C. HORNE, Superintendent
of Public Instruction,
Defendants.

No. 07-15605
D.C. No.
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District of Arizona,
Tucson
ORDER

On Remand from the United States Supreme Court

Filed August 13, 2009

Before: Betty B. Fletcher, Marsha S. Berzon and
Johnnie B. Rawlinson, Circuit Judges.

ORDER

We remand this case to the District Court to comply with the Supreme Court's decision in *Horne v. Flores*, 129 S. Ct. 2579, 2607 (2009).

IT IS SO ORDERED.

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