

FILED

UNITED STATES COURT OF APPEALS

SEP 01 2009

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

MIRIAM FLORES, individually and as a  
parent of Miriam Flores, minor child,

Plaintiff - Appellee,

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

Defendant - Appellant.

No. 07-17157

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

ORDER

MIRIAM FLORES, individually and as a  
parent of Miriam Flores, minor child,

Plaintiff - Appellee,

v.

THOMAS C. HORNE, in his official  
capacity as Superintendent of Public  
Instruction, State of Arizona,

Defendant - Appellant.

No. 07-17158

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

Before: B. FLETCHER, BERZON, and RAWLINSON, Circuit Judges.

This order supplements our prior order of remand entered August 12, 2009.

In light of the recent Supreme Court decision in *Horne v. Flores*, 129 S. Ct. 2579,

2607 (2009), we vacate the district court's contempt order and award of attorneys' fees and remand for further proceedings in accordance with *Horne*.

**IT IS SO ORDERED.**