

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS**

**STATE OF TEXAS,**

Plaintiff,

v.

**MERRICK GARLAND**, in his official capacity as  
Attorney General, *et al.*,

Defendants.

Case No. 5:23-cv-00034-H

**DEFENDANTS' MOTION TO DISMISS**

Pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(3), and 12(b)(6), Defendants move to dismiss this case for lack of jurisdiction, lack of venue, and for failure to state a claim. In support of this motion, the Court is respectfully referred to Defendants' accompanying brief and appendix. A proposed order accompanies this motion.

Dated: May 4, 2023

Respectfully submitted,

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Principal Deputy Assistant Attorney General

JOHN R. GRIFFITHS  
Director, Federal Programs Branch

LESLEY FARBY  
Assistant Branch Director

*/s/ Courtney D. Enlow*

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 4, 2023, I electronically filed the foregoing paper with the Clerk of Court using this Court's CM/ECF system, which will notify all counsel of record of such filing.

*/s/ Courtney D. Enlow* \_\_\_\_\_

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**[PROPOSED] ORDER GRANTING  
DEFENDANTS' MOTION TO DISMISS**

Upon consideration of Defendants' Motion to Dismiss and the briefing on this motion, it is

ORDERED that:

- Defendants' Motion is GRANTED; and
- This case is DISMISSED.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable James Wesley Hendrix  
UNITED STATES DISTRICT JUDGE