

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>RACHEL WELTY, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 3:24-cv-00768</b>
	)	<b>District Judge Aleta A. Trauger</b>
<b>BRYANT C. DUNAWAY, et al.,</b>	)	<b>Magistrate Judge Jeffrey S. Frenley</b>
	)	
<b>Defendants.</b>	)	

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**DEFENDANTS' MOTION TO DISMISS**

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Defendants Bryant C. Dunaway, Jason Lawson, Jennings H. Jones, Robert J. Carter, Ray Whitley, Robert J. Nash, Glenn Funk, Stacey Edmonson, Brent Cooper, Ray Crouch, and Hans Schwendimann, all in their official capacities (“Defendants”), by and through counsel, and pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, respectfully request that Plaintiffs’ Complaint against them be dismissed.

As discussed more fully in Defendants’ separate Memorandum of Law, Plaintiffs fail to state a claim upon which relief can be granted under either the First Amendment or Fourteenth Amendment to the United States Constitution. Plaintiffs also lack standing, and they cannot overcome Defendants’ entitlement to sovereign immunity. Abstention principles likewise warrant dismissal.

Accordingly, Defendants respectfully request the Court to grant their motion and to dismiss each of Plaintiffs’ claims against them as a matter of law.

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I hereby certify that on July 16, 2024, a copy of the foregoing document was filed using the Court's electronic court-filing system, which sent notice of filing to the following counsel:

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