

remedy”— would necessarily imply the invalidity of their judgments of conviction and terms of confinement.

Finally, the Court should abstain from entertaining Plaintiffs’ claims at this time. Conditions are dynamic, and constitutional litigation punctuated with court orders on sensitive issues of federalism and the interplay of competing interests, fraught with the threat of contempt, would not serve Plaintiffs, Defendants, or the public interest well.

In support of this Motion, Defendants rely on the following contemporaneously filed documents:

1. Brief in Support of Defendants’ Amended Motion to Dismiss; and,
2. Proposed Order Granting Defendants’ Amended Motion to Dismiss.

For the reasons stated in this Motion and its accompanying documents, Defendants respectfully request that the Court grant this Motion to Dismiss.

Date: April 19, 2020

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that on this, the 19th day of April, 2020, a true and correct copy of the foregoing document was transmitted using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record.

/s/ Nicholas D. Stepp

Nicholas D. Stepp

BE IT FURTHER ORDERED, ADJUDGED, AND DECREED that the Court abstains from ruling on the remaining 42 U.S.C. § 1983 claims.

This order dismisses all pending claims.

Date: _____

The Honorable Ada Brown