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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO**

RYAN ISBELLE,	)	
	)	Case No. 1:19-cv-00093-CWD
Plaintiff,	)	
	)	<b>MOTION TO DISMISS</b>
vs.	)	
	)	
LAWRENCE DENNEY,	)	
	)	
Defendant.	)	
	)	

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COMES NOW Defendant, Idaho Secretary of State Lawrence Denney, by and through undersigned counsel, and pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6), moves this Court to dismiss Plaintiff's claims for lack of subject matter jurisdiction and for failure to state a claim as a matter of law.

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This motion is supported by the Memorandum in Support of Defendant's Motion to Dismiss and the Declaration of Dorothy Canary in support hereof and filed herewith.

DATED this 9th day of April, 2019.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

By: /s/ Robert A. Berry  
ROBERT A. BERRY  
Deputy Attorney General

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9th day of April, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system,

AND I FURTHER CERTIFY that on such date I served the foregoing on the following non-CMF/ECF Registered Participant in the manner indicated:

Ryan Isbelle  
217 S. Garden Ct., #F  
Lewiston, ID 83501

- ☒ U.S. Mail
- ☐ Email
- ☐ Certified Mail, Return Receipt Requested
- ☐ Overnight Mail
- ☐ Facsimile

By:           /s/ Robert A. Berry            
Robert A. Berry  
Deputy Attorney General