

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ROQUE “ROCKY” DE LA FUENTE,)

Plaintiff,)

v.)

Case No. 3:16-cv-00189

DEMOCRATIC PARTY OF TENNESSEE,)

and TRE HARGETT, SECRETARY OF)

STATE OF TENNESSEE,)

Defendants.)

DEFENDANT SECRETARY OF STATE HARGETT’S MOTION TO DISMISS

Comes the Defendant, Tre Hargett, Secretary of State for the State of Tennessee, and respectfully moves this Court to dismiss Plaintiff’s amended complaint (D.E. 14) in its entirety and with prejudice for lack of subject matter jurisdiction and failure to state a claim upon which relief can be granted pursuant to Fed. R. Civ. P. 12(b)(1) and (6).

This motion is supported by an accompanying memorandum of law.

Respectfully submitted,

HERBERT H. SLATERY III
Attorney General and Reporter

/s/ Janet M. Kleinfelter
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CERTIFICATE OF SERVICE

The undersigned hereby certifies on the 15th day of April 2016 that a copy of the above document has been served upon the following persons by U.S. Mail, postage prepaid:

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The undersigned further certifies that on the 15th day of April, 2016 a copy of the above document has been served upon the following persons by:

X Electronic Case Filing (ECF) System to:

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/s/ Janet M. Kleinfelter
JANET M. KLEINFELTER