

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA**

The State of Missouri, *et al.*,

Plaintiffs,

v.

President Joseph R. Biden, Jr., in his official
capacity as President of the United States of
America, *et. al.*,

Defendants.

Civil Action No. 22-cv-1213

NOTICE OF WITHDRAWAL OF MOTION TO DISMISS

On July 12, 2022, the Federal Defendants moved to dismiss Plaintiff States' Complaint, ECF No. 1, for lack of subject-matter jurisdiction and failure to state a claim. Mot. to Dismiss, ECF No. 35. The motion has not yet been fully briefed. On August 2, 2022, Plaintiff States filed an Amended Complaint, adding Individual Plaintiffs and several new Federal Defendants and asserting additional allegations. Am. Compl., ECF No. 45. The Federal Defendants' response to the Amended Complaint is due by August 16, 2022. *See* Fed. R. Civ. Pr. 15(a)(3). Given Defendants' forthcoming response to the Amended Complaint, Defendants hereby withdraw the pending Motion to Dismiss, ECF No. 35, from consideration in this case.

Dated: August 8, 2022

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

ERIC WOMACK
Assistant Director, Federal Programs Branch

/s/ Kyla Snow
KYLA SNOW
INDRANEEL SUR
KUNTAL CHOLERA
Trial Attorneys
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L. Street, NW
Washington D.C. 20005
Tel: (202) 514-3259
Fax: (202) 616-8460
Kyla.Snow@usdoj.gov

Attorneys for Defendants