

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

---

The STATE of ARIZONA, et al.,

*Plaintiffs,*

v.

MERRICK GARLAND,  
in his official capacity as  
Attorney General of the  
United States, *et al.*,

*Defendants.*

---

Civil Action No. 6:22-cv-01130

**MOTION TO DISMISS FOR LACK OF JURISDICTION  
AND FAILURE TO STATE A CLAIM**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), Defendants hereby move to dismiss Plaintiffs' Second Amended Complaint, ECF No. 86, for lack of jurisdiction and failure to state a claim upon which relief may be granted for all the reasons stated in the attached Memorandum in Support and all exhibits referenced in and attached hereto.

Dated: December 22, 2023

Respectfully submitted,

BRIAN M. BOYNTON  
*Principal Deputy Assistant Attorney General*

WILLIAM C. PEACHEY  
*Director*  
Office of Immigration Litigation  
District Court Section

EREZ REUVENI  
*Counsel*

SARAH L. VOUNG  
*Assistant Director*

BRIAN C. WARD  
*Senior Litigation Counsel*

/s/ Joseph A. Darrow  
JOSEPH A. DARROW  
ELISSA P. FUDIM  
ERIN T. RYAN  
SYDNEY A. JACKSON  
EVAN P. SCHULTZ  
*Trial Attorneys*  
U.S. Department of Justice  
Civil Division  
Office of Immigration Litigation  
District Court Section  
P.O. Box 868, Ben Franklin Station  
Washington, DC 20044  
Tel.: (202) 598-7537  
Joseph.a.darrow@usdoj.gov

**CERTIFICATE OF SERVICE**

I hereby certify that on December 22, 2023, I electronically filed this motion to dismiss with the Clerk of the Court for the United States District Court for the Western District of Louisiana by using the CM/ECF system. Counsel in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system.

/s/ Joseph A. Darrow  
JOSEPH A. DARROW  
U.S. Department of Justice