

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION**

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF ILLINOIS, *et al.*,

Defendants.

No. 25-cv-01285

Hon. Lindsay C. Jenkins

**MOTION TO DISMISS FILED BY COOK COUNTY SHERIFF THOMAS J. DART'S  
PURSUANT TO FED. R. CIV. P. 12(B)(1) AND 12(B)(6)**

Defendant, Thomas J. Dart, in his official capacity as Cook County Sheriff, moves pursuant to Fed. Rules Civ. P. 12(b)(1) and 12(b)(6) to dismiss the United States' claims against him for lack of Article III jurisdiction and in support states:

1. Plaintiff United States brings this claim against the State of Illinois and its officials; the City of Chicago and a number of its officials; and the Sheriff of Cook County Thomas J. Dart, Cook County, the Cook County Board of Commissioners, and Cook County Board of Commissioners President Toni Preckwinkle. Doc. 1.
2. The United States targets the validity of the Illinois TRUST Act, 5 ILCS 805/1 *et seq.*; the City of Chicago's Welcoming City Ordinance, 2-173-005, *et seq.*; and the County's Ordinance § 46-37, and seeks to enjoin the same. Doc. 1 at ¶3.
3. The United States fails to establish Article III standing to bring its claim against the Sheriff in part because it fails to allege anything beyond mere speculation that enjoining the County's ordinance will redress its alleged injury, a required element of standing under Supreme Court precedent.
4. Further, the United States fails to state a cause of action upon which relief can be granted.

The Complaint alleges no unlawful action or inaction by the Sheriff pursuant to which this Court could enter judgement against him.

5. Defendant Sheriff Dart joins in the additional arguments raised by the County in its motion to dismiss pursuant to 12(b)(1) and 12(b)(6).

WHEREFORE, Defendant Thomas J. Dart, in his official capacity as Cook County Sheriff, for the reasons stated herein and in his memorandum in support of this motion, respectfully requests this Court dismiss the United States' claims against him for lack of jurisdiction.

Respectfully submitted,

Dated March 4, 2025

EILEEN O'NEILL BURKE  
State's Attorney of Cook County

Silvia Mercado Masters  
Edward M. Brener  
Jessica L. Wasserman  
Assistant State's Attorneys  
Civil Actions Bureau  
500 W. Richard J. Daley Center  
Chicago, IL 60602  
(312) 603-6934  
(312) 603-5463

By s/ Jessica M. Scheller

Jessica M. Scheller  
Deputy Chief; Civil Actions Bureau  
Prathima Yeddanapudi  
Chief; Advice, Business & Complex  
Litigation Division  
Jonathon Byrer  
Supervisor, Appeals & Special Projects  
Megan Honingford  
Assistant State's Attorneys  
[Jessica.Scheller@cookcountysao.org](mailto:Jessica.Scheller@cookcountysao.org)  
[Prathima.Yeddanapudi@cookcountysao.org](mailto:Prathima.Yeddanapudi@cookcountysao.org)