

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
LOUISVILLE DIVISION  
CIVIL ACTION NO. 3:07CV377-R

*Electronically Filed*

ALEXANDER M. SAY, <i>et al.</i>	)
	)
Plaintiff,	)
	)
vs.	)
	)
JOHN ADAMS, <i>et al.</i>	)
	)
Defendants.	)
	)

\*\* \*\* \*

MOTION TO DISMISS

\*\* \*\* \*

Defendant John Adams, former Commissioner of the Kentucky State Police, respectfully moves to dismiss this action as moot. As grounds for this motion, Adams states that the Department of State Police fully intends to comply with the preliminary injunction entered by the Court on March 14, 2008, and further states that KRS 237.110 has now been amended to delete the citizenship requirement being challenged in this action by Plaintiff. A copy of House Bill 639 and a copy of its vote history are attached as Exhibits 1 and 2. Review of these Exhibits establishes that the Governor of the Commonwealth signed House Bill 639 into law on April 14, 2008.

While the amended version of KRS 237.110 will not officially go into effect until July 2008, as stated above, the Department of State Police represents to the Court that it will continue to comply with the Court's preliminary injunction until the effective date of the amendments to KRS 237.110. This action, therefore, should be dismissed as moot.

Respectfully submitted,

s/ Roger G. Wright  
Roger G. Wright  
Justice & Public Safety Cabinet  
Office of Legal Services  
c/o of Kentucky State Police  
919 Versailles Road  
Frankfort, Kentucky, 40601  
502-695-6345  
(Fax) 502-573-1636  
*rogerg.wright@ky.gov*, and

Stephen D. Lynn  
Justice & Public Safety Cabinet  
Office of Legal Services  
c/o Department of Criminal Justice Training  
Funderburk Building  
521 Lancaster Avenue  
Richmond, Kentucky 40475-3102  
(859) 622-3073  
(Fax) (859) 622-5027  
*steve.lynn@ky.gov*

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2008, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following: Jack B. Harrison, David A. Friedman, N. Scott Lilly and William E. Sharp.

s/Roger G. Wright  
Counsel for Commissioner John (Jack) Adams