

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
MEMPHIS DIVISION**

SHELBY ADVOCATES FOR VALID ELECTIONS, MICHAEL KERNELL, JOE TOWNS, JR., ANN SCOTT, and BRITNEY THORTON	)	
Plaintiffs,	)	
v.	)	Case No. 18-2706 TLP dkv
TRE HARGETT, in his official capacity as TENNESSEE SECRETARY OF STATE, et al.	)	
Defendants.	)	

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**STATE DEFENDANTS' RENEWED MOTION TO DISMISS**

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Defendants, Tre Hargett, in his official capacity as Tennessee Secretary of State; Mark Goins, in his official capacity as State Coordinator of Elections; the Tennessee State Election Commission; and Kent D. Younce, Judy Blackburn, Donna Barrett, Greg Duckett, James H. Wallace, Jr., Tom Wheeler and Mike McDonald, in their official capacities as members of the Tennessee State Election Commission (the "State Defendants") hereby respectfully move this Court to dismiss Plaintiffs' Verified Amended Complaint, (D.E. 63), for lack of subject matter jurisdiction and failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(1) and (6). The State Defendants renew the Motion to Dismiss, (D.E. 58), previously filed in response to Plaintiffs' Verified Complaint, (D.E. 1), and rely on the arguments and authorities cited in that Motion to Dismiss and supporting Memorandum. The State Defendants also rely on the Supplemental Memorandum of Law in Support of State Defendants' Renewed Motion to Dismiss filed herewith.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document has been filed using the Court's CM/ECF system which sent notice of the filing to all counsel of record this 11th day of February, 2019.

/s/ Matthew F. Jones  
MATTHEW F. JONES (BPR 25825)